Alij diutius Imperium tenuerunt, nemo tam fortiter reliquit. Tacit. Histor. Lib. 2. c. 47. p. 41

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VINDICIÆ CAROLINÆ:

OR, A

DEFENCE

OF

ΕΙΚΩΝ ΒΑΣΙΛΙΚΗ,

THE

Portraicture of his Sacred Majesty in his Solitudes and Sufferings.

IN

REPLY

To a BOOK Intituled

ΕΙΚΟΝΟΚΛΑΣΤΗΣ,

Written by Mr. *Milton*, and lately Re-printed at *Amsterdam*.

Vere magnum habere fragilitatem hominis, securitatem Dei. Seneca.

London, Printed by *J. L.* for Luke Meredith, at the *Angel* in *Amen-Corner*, MDC XCII.

THE

PREFACE.

OUR Author has foreſpoken his Reader with a long Preface, and Cuſtom has ſo obtain'd, that not to take notice of it were to allow it for Truth; yet as long ſoever as it is, I may be the ſhorter in mine, in regard there are ſome things we ſhall not much differ about: As when he begins *to diſcant on the Misfortunes of a Perſon fallen from ſo high a Dignity, who has alſo paid his final Debt both to Nature and his Faults, is not of it ſelf a thing commendable:* And I come ſo near him that I deem it in no wiſe commendable; much leſs to defend a Party, by whoſe Injuſtice

ſtice he fell: For Revenge and Envy ſtop at the Grave; and however our Lives are at the Mercy of others, even Fortune herſelf has no Dominion over the Dead. But when he ſays, *And his Faults*, and that *it is not the intention of his Diſcourſe*, I referr my Reader to this of mine, wherein, from the Ordinances of that time, and the Law of the Land, I have (I hope) acquitted the King; and for the other, whatever his intention might be, prov'd his Book contrary to what he gives out here.

He further *ſuppoſes it no Injury to the Dead, but a good Deed rather to the Living, to better inform them by remembring them the Truth of what they themſelves know to be miſaffirm'd.* And I agree with him; for if a Man may not make the Blind to go out of his way, there is this Charity due to a Short-ſighted

ed Multitude, to point them (at leaſt) where they firſt went aſtray, and by bringing them back to the old Paths, both ſhew them how they loſt their Way, and ſet them right for the future.

Yet agree as we will we muſt part at laſt; for inſtead of not diſcanting on the Misfortunes of his murther'd Sovereign, and of better informing the People of what (he ſlily inſinuates) themſelves know to be miſ-affirm'd by the King, the whole drift of his Book is to blaſt the one, and ſpread a Miſt before the other; whereas mine is to vindicate the King, and what in me lies to clear the Air of that Peſtilent Vapour. In the mean time, and until I come to it, I ſhall briefly conſider the matter of his Preface, and the manner of putting it together.

As to the former, it is an abſtract of his Book written in Scandal to the King's Book and himſelf; *And* (ſaith he) *for their ſakes, who thro' Cuſtom, Simplicity, or want of better Teaching have not more ſeriouſly conſider'd Kings than in the gaudy name of Majſty, in behalf of Liberty and the Commonwealth.* That is to ſay, Licentiouſneſs and *Democracy*, words altogether foreign to the *Engliſh*, whoſe Conſtitutions know nothing but an Hereditary, Imperial Monarchy, recognizing no Superiour under God but only the King, unto whom both Spiritualty and Temporalty are bound and owe a Natural Obedience: Unto which his Notions are directly contrary; for if the Soveraignty lay in the People the King were not Supream, but himſelf ſubject to that Power which is tranſcendent to his, as appertaining to them; and then

the

the State of *England* were *Democratical*; if it lay in the Nobles then were it *Ariſtocratical*; or if in either, or all of them it were in no wiſe *Monarchical*; which both the Common-Law and Statute-Law of *England* have ever declar'd this Kingdom to be, as ſhall be ſhewn in its proper place.

And yet he doubts not to impoſe upon his Reader, That *the People heretofore were wont to repute for Saints thoſe faithful and couragious Barons* (as he calls them) *who loſt their Lives in the Field, making glorious War againſt Tyrants for the common Liberty*; *As* Simon de Monfort *Earl of* Leiceſter *againſt* Henry *the Third*; Thomas Plantagenet *Earl of* Lancaſter *againſt* Edward *the Second*. And truly--- *Siqua eſt ea Gloria.* ---- *England* wants not wherein to Glory; though I think neither of theſe comes under his Character: For

For the first of them (a *Frenchman* by Extraction) ran into open Rebellion against *Henry* the Third, whose Sister he had first vitiated, then Married: Took the King Prisoner, and carried him about in the Army (as *Cromwell* did this King) and made him own all his (the Earl's) Actions (as the Parliament, but ineffectually, endeavour'd it also) and was at last slain in actual Rebellion at the Battle of *Evesham*, by the Prince (our *English Justinian*,) the Man, who by rescuing oppress'd Laws, taught the Crown of *England* not to serve, and first deliver'd it from the Wardship of the Barons.

These Barons, the Descendants of those, where the Devil in the Father turn'd Monk in the Son; for being conscious to themselves that whatever they had, whether of Honour or Possessions had been commenc'd in Conquest and Rapine,

what

what better way of ſecuring both than by ſiding with the People, who had by this time forgotten they were the Poſterity of thoſe who had beggar'd their Anceſtors.

And for the other of *Lancaſter*, he alſo was taken in a like Rebellion againſt *Edward* the Second, and being thereof Convicted, was Beheaded at *Pomfrect* : nor other than Rebellion, do I find any Remark of him,but that his Name was *Plantagenet*, and the *Mobb* call'd him King *Arthur*. And therefore the moſt that can be ſaid of them is, (what *Aaron* of his Calf) *Theſe be thy Gods O* Iſrael !

And having laid this Foundation for Matter, who could expect his manner of doing it ſhould be better, more than that *Grapes may be gathered of Thorns, or Figs of Thiſtles* ? Nor has he in the leaſt deceiv'd me

in

in it; when though there's a decency of Language due to the meaneſt of Men, and Mankind inſults not over a Slave in Miſery, yet neither in his Preface or his whole Book does he ever mention the King, or his actions without that irreverence as would put a modeſt Man to the Bluſh in reading it. What the particular Expreſſions are I forbear to mention them where I may poſſibly avoid it, and referr the Reader to them as they every where occur, leſt otherwiſe I be like him that pretends to anſwer a Seditious Book, and Prints that with his anſwer, that it may be remembred *cum Privilegio.*

However this from the whole; though the Scripture calls Princes Gods, that Prince is yet to be born whoſe ſome action or other did not confeſs Humanity, and require Candour. *Moſes* was *King among the Righteous,*

Righteous, and David *a Man after God's own Heart*, and yet it cannot be ſaid of either of them, *In nullo erratum eſt*: And therefore inſtead of raking the Graves of Princes, we ſhould neither cenſure them rigidly, nor deny them the ſame mildneſs with which we commiſerate the Infirmities of other Men: Or at leaſt, if we muſt be prying and poring, be ſo juſt to our ſelves as not to publiſh the Miſcarriage and ſuppreſs the Vertue. In a word, let him that would make a true Judgment of this oppreſs'd King, firſt conſider his Circumſtances, and then tell me whether where he ſtretch'd his Authority he had not been firſt neceſſitated to it by thoſe that murther'd him; and whether the worſt of his Actions were not ſuperabundantly expiated with many good; which our Accuſer has ſo every where endeavour'd to ſilence,

and

and supp'ied with Calumnies, that I'll close all with that Abstract of *Seneca*'s Epist'es: Xerxes's *Arrows may darken the Day, but they cannot strike the Sun: Waves may dash themselves upon a Rock, but not break it: Temples may be Prophan'd and Demolish'd, but the Deity still remains untouch't.*

THE

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THE

VINDICIÆ CAROLINÆ:

OR, A

VINDICATION

OF

ΕΙΚΩΝ ΒΑΣΙΛΙΚΗ.

The Introduction.

IN *every Action conſider the End, ſo ſhalt thou not be aſhamed of thy Work*, was a wiſe Saying, and had this Effect upon me, That I no ſooner reſolv'd with my ſelf to make ſome Reply to this Anſwer of Mr. *Milton*'s, than I began to conſider three things (and as I thought) neceſſary, for the better carrying it on: Which in ſhort are theſe.

1. *To what End this* Εικονοκλαστὴς *was firſt Written.*
2. *To what End (and that after a forty odd Years interval) it came to be reprinted; at* Amſterdam *too, and with an* Advertiſement *before it.*
3. *What end I propos'd to my ſelf in making this Reply.*

I. As to the firſt, let the Book ſpeak for it ſelf, and there are few Leaves in it, but viſibly

declare that *Milton*'s end was, To justifie the unparallell'd Villainies of his own time, *Et quorum pars magna fuit.* —— Wherein the best of Monarchies was shook to pieces, by the worst of Men: A King (whose only Crime was his being King) disarm'd by one Faction, and in that condition left to the growing Designs of another, and the mercilesse Cruelty of both: The Fountain of all Law, Justice and Honour, publickly arraign'd, sentenc'd and assassinated, by the Tail of the People; and that too, under the false detorted Names of Law, Justice and Honour of the Nation; and God as impiously brought in against himself, to Patronize the *Parricide*; to defend the Tyrranny of an usurping Commonwealth, against their natural Liege Lord and Sovereign; to vindicate those dreggs of Mankind, from what the World then thought them, and a later Statute
1. *Car.* 2. c. 14. has since declared them: *viz.* "The most traiterous Conspiracies, and armed power, of Usurping Tyrants, and Execrable, Perfidious Traitors: And lastly (as if it were not enough to have murther'd Him in his Authority as a King, and his Person as a Man) to murther Him over again in His Fame and Memory.

This *Milton* (the Gall and bitterness of whose Heart had so taken away his Taste and Judgment, that to write, and be scurrillous, were the same with him) is dead, 'tis true, and should have been forgotten by me, but that in this new Impression he yet speaketh. To write, and be scurrillous (I said) were the same with him: Witness his *Pro populo Anglicano Defensio* against *Salmatius* (a learned Knight) his *Defensionem Regiam*; and, who as such, might have deserv'd

deserv'd the Civility of a modest Language: Yet thus he begins with him, *Quamquam tibi vano homini & ventoso, multum arrogantiæ, multum superbiæ, Salmati*, &c. and further calls him *Grammaticaster*, *Straminens Eques*, and the like stuff, which proves nothing but the insolence of the Writer. That he wrote good Latin will be readily granted, but with this remark, That it was *Billingsgate* in *Rome*: As also, That he was a Person of a large thought, and wanted not Words to express those Conceptions; but never so truly, as when the Argument, and his deprav'd temper met together: Witness his *Paradise lost*; where he makes the Devil, —*Who, though fallen, had not given Heaven for lost*, —— speak at that rate himself would have done of the Son of this Royal Martyr (upon his Restauration) had he thought it convenient; when, in his *Paradise regain'd*, he is so indifferent, poor, and starvling, as if he never expected any benefit by it. But enough of him; and I wish I had not met this just Occasion of having said so much.

II. *To what end it was reprinted*, &c. Glory had departed from the *Israel* of those times, at what time it pleas'd God in Mercy to these Kingdoms, to restore King *Charles* the Second to the Throne of his murther'd Father; but that they yet expect the Advancement of the Sceptre, and that as obstinately, as the *Jews* their *Messias*, were there no other Argument, the very re-impression of this Book may seem sufficient to evince; especially if we consider the following Circumstances.

1. That it bears the Impress from *Amsterdam*, a Popular State; to the freedom of whose Presses we are beholding for many things we

had otherwiſe miſs'd: However, whether it were that *Amſterdam*, or another of the ſame Name, in or near *London* (as Printers have a way to themſelves) it matters not, its Principles are altogether Republican, and whoever he were that thus ſhuffled it into the World, took the right courſe, in chuſing darkneſs rather than light, becauſe his Way was evil. To have offered at a Commonwealth directly, had been Madneſs; and yet, who knew how he might turn it about by a Side Wind?

2. That a Book which from its firſt impreſſion had been Waſte-Paper, and never read (by any good Man) without Contempt, ſhould (after an interval of two and forty Years) be raked out of its forgotten Embers, if the deſign at bottom had not been to re-mind the People of the days of old, and hint to them, how the ſame Cards may be play'd over again, as God ſhall enable them, *i. e.* as opportunity ſhall offer. And, if this be not the drift of it, let any Man judge; when in beſpattering that good King, it repreſents to them, by a falſe Glaſs, what they may expect from other Kings; and, in effect tells them, A Lyon is ſtill a Lyon, and tho' his Claws be pared they'll grow agen.

3. That (as if there had been ſome private agreement between them) it was ſeconded by another to the ſame Tune, intituled, *A Letter from* Major General Ludlow *to Sir E. S.* which, whether it were his, or his Name only made uſe of to ſerve a turn, will not be much in the Caſe, tho' it confirm the Deſign. The name is yet a popular name among that Faction, and himſelf, a daring Man; witneſs his late regreſs into *England*, and that not *Incognito*, but in the face

face of the Sun, in *Westminster-Hall*, a Parliament, and Judges then sitting, where once he sate Judge himself; and had there been a third of Mr. *Jenkins*'s to have rung *All-in*, What wonder if the Sheep had followed their Bell-weathers?

And if this were not the Design, strange it seems, and no small breach of Politicks, to have thrust it on the World, at a time when three of the Grand-Children of that King, are yet Living, and two of them in possession of the Throne. It was one of *Milton*'s *Sarcasms* to *Salmatius* (*Patrem defendis ad filium, mirum ni causam obtineas!*) You defend the Father to the Son, no wonder if you carry the Cause! But on the other hand, how can any of His Posterity think themselves secure, while the murther of the Grandfather is yet mention'd without abhorrence? When (in a manner) it hints the Faction with the Proverb (*Stultus qui, patre cæso, pepercit liberis, tandem aliquando patriæ necis futuros vindices:*) He's a Fool that kills the Father, and spares the Children, who some time or other will be sure to revenge it.

But malicious, and nothing but malicious, could be the Printing *the Advertisement* at the end of his Preface, grounded it seems upon a *Memorandum* of the Earl of *Anglesey*'s: Viz.

King Charles *the Second, and the Duke of* York, *did both* (*in the last Session of Parliament,* 1675. *when I shewed them, in the House of Lords, the Written Copy of this Book* (meaning Icon Basilica) *wherein are some corrections and alterations, written with the late King* Charles *the First's own Hand,*) *assure me, That it is none of the said King's compiling,*

but made by Dr. Gawden *Biſhop of* Exeter, *which I here inſert for the undeceiving others in this point, by atteſting ſo much under my hand.*

Angleſey.

And that the Earl might have left ſuch a *Memorandum* as is ſaid, I do not doubt, becauſe I have heard of it ſo often; but what end the firſt Publiſher of it had, I cannot deviſe; unleſs it were to Crucifie his Lord again, and by putting in his Stab to His Memory, expoſe him a ſecond time (which the more merciful *Jews* did but once to our Saviour) with a, *Behold the Man!* and yet notwithſtanding all this, I doubt not to evince it to every unbiaſs'd Man, that this (*The Portraiture of his Sacred Majeſty, King* Charles *the Firſt, in his Solitudes and Suffe-rings*) was an *Original* drawn by Himſelf, and not by any other Hand, or Pencil: For,

1. He was able to do it, as having been early bred up to Letters, in deſign (if Prince *Henry* had lived to be King) for the Archbiſhoprick of *Canterbury*. To which if it be ſaid, He had ſome little difficulty of Speech: I anſwer, *Neſcivit Jeremias loqui*, and *Moſes* himſelf was *Impeditioris Linguæ*. And what of that? It is the Office of a Steward to ſee the Proviſion be good, and that the Family have it in due Seaſon: but (I think) no Man will ſay, to Cook it himſelf.

Jer. 1. 6. *Exod.* 4. 10.

2. Theſe Meditations are written feelingly, and carry with them the Senſe and Language of a Perſon under ſuch Circumſtances. *Jeremiah* in his *Prophecy* denounceth Judgments to others, and ſpeaks with the Tongue of him that ſent him; but in his *Lamentations*, we ſee him in diſtreſs

diſtreſs himſelf, and his Stile is as mournful, as the City he bewails. And he that reads *Job* with due conſideration (inſtead of doubting whether he wrote it himſelf) cannot but ſit down and weep with him: Eſpecially, taking this with it, that the *Holy Ghoſt* (in his Pen) labours more to deſcribe that affliction, than ever it did the Felicities of *Solomon*.

3. Neither the Thought, nor Stile are in the leaſt like that of Biſhop *Gawden*; nor is it to be doubted, if he had been the Author of ſo well a deſign'd Service to the Memory of a diſtreſs'd Father, but that he might (on the Son's Reſtauration) have reaſonably deſerv'd a better Biſhoprick than that of *Exeter*; eſpecially, when ſo many of thoſe Vacancies were fill'd with Covenanters. Whereas on the other hand, do but compare this *Icon*, with his Majeſty's Speeches in Parliament; with his Diſcourſe about Religion with the Marqueſs of *Worceſter*; His Papers with *Henderſon* touching Epiſcopacy; His Letters to the Queen; Thoſe his frequent (tho' fruitleſs) Meſſages to both Houſes, from *Hampton-Court*, and the Iſle of *Wight*, when he was under reſtraint, debarr'd of every one that might aſſiſt, or comfort Him, and *the Company obtruded upon Him was more ſad than any Solitude could be*; compare (I ſay) this *Icon*, and them together, and then tell me whether they do not all breathe the ſame Soul; and conſequently, whether they can juſtly be denied to have proceeded from the ſame Pen. And for what the *Memorandum* further ſays, "That King *Charles* "the Second, and the Duke of *York*, did aſſure "him, it was none of the ſaid King's compi-

Icon Baſil. 195.

"ling, &c. An Earl (it is said) wrote it, and I dispute it not; but this I say, That neither the King, nor the Duke could speak it of their own knowledge, but as by report from others, because the King, then Prince of *Wales*, from his Expedition into the *West* with General *Ruthien*, from whence he went off to *France*, could not have seen His Father in near four Years before His death, and therefore it seems improbable that the King should have shewn him a Letter *To the Prince of Wales*, and at the same time told him it was not of his own compiling; when yet
Id. Icon 221. the Letter says, "Son, if these Papers come "to your hands, &c. and concludes, Farewel, "till we meet, if not on Earth, yet in Heaven. And if the King did not tell him so, then what he assured the Earl could not be of his own knowledge: And for the Duke of *York*, he was under Thirteen at the Surrender of *Oxford*, from whence he was brought to St. *James*'s, where he made his Escape for *Dort*; so that except when he saw his Royal Father at *Hampton-Court* (which could not be often) he could not have seen him in two Years and an half before his Death: Nor seems it probable that the King should communicate his Thoughts with a Person of those Years, albeit a Prince, and his Son, but not his next Heir: But on the contrary, more probable for both, that what they so spake, was but by report, which young Princes are but too apt to take up, from those, who, to cover their own Ignorance, perswade them it smells too strong of the Pedant, for a King to take up a Pen; when yet the greatest of former Ages, are oftner remmembred by their Pens, than their Swords. *Cæsar* yet lives in his *Commentaries*.

c it, and ither the eir own ers, be- rom his Ruthien, uld not s before robable Letter me told hen yet s come arewel, leaven. n what is own he was d, from ere he t when -Court have re his King Person s Son, trary, spake, es are to co- em it ng to rmer Pens, Com- ries.

mentaries. *M. Aurelius* in his Philosophy; and we may read *Trajan* by his Epistles to *Pliny*. But to come nearer home: Our *Henry* the first is as well known by the Name of *Beauclerke*, as of King of *England*. *Henry* the Eighth's Pen, not his Sword gave him the Title of *Defender of the Faith*. And this the *Royal Portraict* of our murther'd Sovereign, shall outlast every thing but it self, and Time.

Lastly; And if there yet want some living, credible Testimony of that time, or matter of Record since, Sir *William Dugdale* (an indefatigable Searcher of our English Antiquities, and perfect Master of the Transactions of his own Time) gives us this gradual account, *viz.* "That these *Meditations* had been begun by "His Majesty in *Oxford*, long before he went "from *Oxford* to the *Scots*, under the Title of "*Suspiria Regalia*: That the Manuscript it self "written with his own Hand, being lost at "*Naseby*, was restored to him at *Hampton-Court*, by Major *Huntington*, who had obtain'd it from *Fairfax*. That Mr. *Thomas Herbert* (who waited on His Majesty in his Bed-Chamber in the *Isle of Wight*) and Mr. *William Levett* (a Page of the Back-stairs) frequently saw it there, and not only read several parts of it, but saw the King divers times writing farther on it. And that, that very Copy, was by his Majesty's direction to Bishop *Duppa*, sent to Mr. *R. Royston* a Bookseller at the *Angel* in *Ivy-Lane*, the 23d of *December*, 1648. who made such Expedition, that the Impression was finish'd before that dismal 30th of *January*, on which the King was bereft of his Life: As may be better read

from

Sir W. Dugdale's Short View, &c. p. 350, 351.

from himſelf, in his *Short View of the late Trouble* in England. And this further I ſpeak of my own Knowledge, That the very next Morning after that horrid Act, I ſaw one of them, and read part of it, under the Title of Ε'ΙΚΩ'Ν ΒΑΣΙΛΙΚΗ', which it now bears. And for matter of Record, and that the World may the more undeniably be convinc'd, that both King *Charles* the Second, and King *James* the Second, did believe this Book was written by their Royal Father, let him that doubts it but look upon *Reliquiæ Sacræ Carolinæ*, Printed in the Year 1662, or any Impreſſion of this Book ſince that time, and he will find prefix'd to them, a Privilege or Patent of King *Charles* the Second, to the ſaid Mr. *Royſton*, his Executors, &c. for the ſole Printing and Publiſhing the Book intituled *Reliquiæ*, &c. and all other the Works of his ſaid Royal Father; and more *eſpecially* mentions *thoſe moſt excellent Meditations and Soliloquies, by the name of* Ε'ΙΚΩ'Ν ΒΑΣΙΛΙΚΗ'. And it ſo happening that moſt of that Impreſſion in 1662. coming to be loſt in the Fire of *London*, whereby the Book became very dear, and ſcarce to be had, King *James* the Second, upon his coming to the Crown (reciting thoſe former Letters Patent) grants him the like Privilege for the Printing and Publiſhing the ſaid Book as it had been in the Year 1662. And now what ſhall an honeſt Man do in ſuch a Caſe? ſhall he give Credit to a bare *Memorandum* of what another ſaid (and as 'tis moſt probable) by report only; or (ſay the Circumſtances before were not of weight) to two Records? For my part, I take the *King's Certificate* to be of high nature, yet I ſhould hardly believe that

King

King himself, against any one single Record, against which the Law of *England* admits no Averrment; and therefore I think no Man ought to make more of a *Posthumous Memorandum*, than what the Law makes of it. In a word, these Pathetick Meditations no sooner came abroad, than the Nation was undeceiv'd concerning the Author; the Scales were fallen from their Eyes, and they religiously look'd on Him, whom in the simplicity of their Hearts they had pierced. These our *Pharisees* saw, and confest it themselves, but (said they) if we let it alone the *Romans* will come and take away our City: And therefore finding they could not suppress them, they made it their Business (what in them lay) to blot them: Nay to that impudence they were arrived, that (and I saw it my self) this *Icon* was exposed to Sale, bound up with the *Alcoran*.

III. *What end I propos'd to my self in making this Reply.* And that's easily shown; nor is it forbidden any Man to burn Incense where the Air's infected. That this *Royal Martyr* has been calumniated is but too visible; but how justly, I am coming to examine: In which I have this advantage to my hand, That Time, the Mother of Truth, has justified her Daughter concerning Him, and might have stopt the Rancour of his most inveterate Enemies, but that nothing (how evident soever) can affect those, that have a secret against blushing. To be short, my end is to vindicate this Good, this Just (however Unfortunate) Prince; to blow off that Froth, that has been thrown on his Memory; and (according to my strength) deliver him to the World as he was: A great (if not

the

the only) ſteddy Example of both Fortune and of a Mind unchang'd, in the greateſt chang of either. A Prince Learned, Eloquent, Affabl Courteous, and born for the Good of Mankind, his Lot had fallen among a better People. One (i a word) who if he had any fault, it was h not timely adverting his Father's dear-bough Experience, who thus confeſſes of himſelf

Baſilicon Doron, p. 23.

" Where I thought (by being gracious at th
" beginning) to win all Men's Hearts to a lo
" ving and willing Obedience, I on the contra
" ry found the diſorder of the Country, an
" the loſs of my Thanks, to be all my Reward

Which, how truly it was verified in this H Son, will be the Subject of the enſuing D ſcourſe.

And ſo I come to this **Accuſer** and hi Book; in the examining which, I ſhall follo his own Method; and as he pretends to anſwe the King, make him a ſuitable Reply: and tha alſo, with as much brevity as I can; for, neithe needeth ſo much Barbarity any Aggravation nor ſo plentiful an Argument (as the Vindica tion of an oppreſs'd King) any Art to inforc it.

But I ſtay too long in the Porch: The King' Meditations are thus Intituled;

ΕΙΚΩΝ ΒΑΣΙΛΙΚΗ.

That is, as the Engliſh Title ſpeaks it, Th Portraicture of His Sacred Majeſty. And thi Anſwer of *Milton*'s,

ΕΙΚΟΝΟΚΛΑΣΤΗΣ.

That is, the Breaker-in-pieces of that Portrai-ture: Which, how he has done — *Sub Judice Lis eſt.*

CHAP.

CHAP. I.

Upon the King's calling his laſt Parliament.

THAT (ſaith he) *which the King lays down here as his firſt Foundation, and as it were the Head Stone of his whole Structure,* "That he called this laſt Parliament not more by others "advice, and the neceſſity of his affairs, than "by his own choice and inclination, *is to all knowing Men ſo apparently not true, that a more unlucky and inauſpicious Sentence, and more betokening the downfal of his whole Fabrick hardly could have come into his Mind.* And a good mannerly beginning! A Man may not ſay to the King, *What doſt thou?* and yet it ſeems, may tell him, He lyes. And without proving any thing, but throwing it out boldly that ſomewhat may ſtick, charges the Court *Paraſites* (as he calls them) with their averſeneſs to Parliaments; and that *the King never called a Parliament but to ſupply his Neceſſities, and having ſupplied thoſe, as ſuddenly and ignominiouſly diſſolv'd it, without redreſſing any one Grievance of the People: And broke off the Parliament at his coming to the Crown for no other cauſe than to protect the Duke of* Buckingham *againſt them who had accuſed him, beſides other heinous Crimes, of no leſs than poyſoning the deceaſed King his Father.* Milton, p. 1. Eccleſ. 8. 4.

In reply to which it is but neceſſary to take notice of the condition of that time: The Parliament had engaged King *James* in a War with *Spain*,

Spain, in which the Parliment 1 *Car.* 1. deserted his Son: He had a large Dominion, and a flourishing Kingdom left him; but (as I said) a War and an empty Treasury with it; besides which, King *James* died in Debt,

To the City of *London*, *One Hundred and Twenty Thousand Pounds*, besides Interest.

Vid. *Annals of K. Charles I. in Reg.* 1. and *Mr. Rushw. Collect.* 1 *Part. Fol.* 179.

For *Denmark*, and the *Palatinate*, *One Hundred and Fifty Thousand Pounds*.

For his Wardrobe, *Forty Thousand Pounds*.

Laid out for his Navy, *Twenty Thousand Pounds*.

For Count *Mansfield*, *Twenty Thousand Pounds*.

For the Expence of his Fathers Funeral, *Forty two Thousand Pounds*.

For the Queen, *Forty Thousand Pounds*.

And to equip and pay the Navy for the Expedition for the *Palatinate*, *Three Hundred Thousand Pounds*.

And what was worse than all this, there had follow'd King *James* out of *Scotland* a sort of People whom himself calls *Puritans*, "very Pests "in the Church and Common-weal: whom "no deserts can oblige, nor Oaths or Promi- "ses bind; breathing nothing but Sedition and "Calumnies; aspiring without measure, railing "without reason, and making their own Ima- "ginations, the Square of their Conscience. These Men had by degrees spread themselves through City and Country, and watch'd the People (like Hawks) so long, till they could do any thing with them, and sow what they pleas'd as they found them napping. Nor wanted there some of the same Kidney here among our selves, who under the specious pretences of easing the People, had got the command of

Basilicon Doron, p. 31.

most

most of their Purse-strings. King *James* ('tis true) might have helpt it at first, if his *Beati Pacifici*, (that is) Give Peace in our time O Lord! had not been too much in his Light; by which means all Remedies in his Son's time came too late, and joyn'd with the Disease, to the destruction of the Body.

In this Case, what could King *Charles* the First do? Monarchy is more Ancient and Independant, than Parliaments; and yet their Advice and Assistance, makes it more compacted: He calls a Parliament in the first Year of his Reign, which sate not long: And another in his Second, in which he lets them know his, and the Kingdoms condition; and particularly, that of the *Palatinate*: Instead of answering which, they fall into Debates and Reflections, against the Duke of *Buckingham*, and at a Conference of both Houses, the Commons deliver in an Impeachment of thirteen Articles against him; the last of which was, That the King being sick of an Ague at *Theobald's*, the Duke had given him a Plaister and a Posset drink without the Advice and Consultation of his Physicians. Three days after, the King (by message to them) takes upon himself, as having full knowledge of all those transactions, to clear the Duke of every one of those Articles: However the Duke makes his Defence to the Lords, and puts in his Answer and Plea to the Impeachment made against him by the Commons: And to the thirteenth Article, says, That having been recovered himself of an Ague, by a Plaister and Posset-drink given him by a Physician of the Earl of *Warwick's*, the King impatiently press'd to have it, but was delayed by the Duke, who pray'd

pray'd the King not to make uſe of it, but
the Advice of his own Phyſicians, nor till it w
tryed upon one *Palmer* (of the Bed-Chambe
then alſo ſick of an Ague, which the King ſa
he would do: However, the Duke being go
to *London*, the King would have it, and
took it; and upon his return, hearing a Rumo
that the Phyſick had done the King hurt, a
that it had been adminiſtred by him witho
Advice, the Duke acquaints the King with i
who with much diſcontent anſwer'd thus, Th
are worſe than Devils that ſay it. And ſo h
ving put in his Anſwer, the Duke moves t
Lords, that the Commons might expedite the
Reply: Inſtead of doing which, they Petitio
the King againſt Papiſts, and ſuſpected Papiſ
holding Places of Authority and Truſt in t
Kingdom, and draw a Remonſtrance again
the Duke, and Tonnage and Poundage, o
which, that Parliament was diſſolv'd by Co
miſſion. Whereas this **Accuſer** would pe
ſwade the World, that the King broke off th
Parliament, for no other cauſe than to prote
the Duke againſt them who had accuſed him o
no leſs than the poiſoning his Father. And tr
ly I was once wondring why he ſaid nothin
touching the Parliament of the third of Kin
Charles, till I conſidered, it was in that Parli
ment that the King paſt the *Petition of Righ*
with *Soit Droit fait come il eſt deſire:* He foun
it was not for him, and therefore reſolv'd i
ſhould make nothing againſt him. When o
the contrary, he reproaches the King with ille
gal Actions to get Money, leaſt conſidering i
was the Art of that time to reduce the King t
Neceſſity, to the end that being forced to extra-

ordinar

ordinary means, he might attract a popular *Odium*. And here also he quarrels at Straws; and rather than not want matter, he'll find a Knot in a Bullrush. For what other can he make of those *Compulsive Knighthoods*, when the King had the Statute of 1 *Edw.* 2. *De militibus* to warrant it? In like manner for the *Ship-money*: The Dutch (in the Year 1634.) had encroach'd upon the Royalty of the Northern Seas; upon which the King (so loath was He to do any thing that might but seem illegal) writes to the Judges, and demands their Opinions in Writing, whether, when the good or safety of the Kingdom in general is concern'd, the King may not by Writ under the Great Seal, command all His Subjects of this Kingdom, to furnish a certain number of Ships and Men, for such time as the King shall think fit, and by Law compel the doing it in case of refusal? And whether in such a case he is not the sole Judge both of the danger of the Kingdom, and when and how the same is to be prevented and avoided? To which every one of the twelve Judges (repeating the very Words of the King's Letter) subscribed their names in the Affirmative. And though *J. Hutton*, and *J. Crooke* afterwards fell off; yet, upon arguing the matter by all the Judges in the Exchequer-Chamber (in the Case of Mr. *Hambden*) the majority of them gave their Opinions for the Writs, on which the *Barons* gave Judgment.

Milt. *p.* 2.

V. *The case, and all the Arguments on both sides, Printed in* 4to *As also in the said Annals from* p. 550. *to* p. 600.

Then for *Monopolies*; every thing is not a *Monopoly*, that may be call'd so; and therefore because he gives no particular instance either as to them; or the King's seizing (*Naboth*'s Vineyard as he calls it) Inheritances, under the pre-

tence of Foreſt, and Crown-Lands; and Cor-
ruption and Bribery compounded for; I ſay
no more but this, that Generals imply nothing,
and conſequently deſerve no particular Anſwer.
But this I know, that in the Parliament of 44 o
Queen *Elizabeth*, a Bill was preferr'd for Expla-
nation of the Common Law in certain caſes o
Letters Patents, *viz.* touching *Monopolies*, and
was ſtrongly bandied on both ſides: O
this the Queen ſends them a Meſſage, That a
ſhe was not conſcious to herſelf ſhe had grante
Letters Patents of any thing that was *Malum*
in ſe; ſo when it ſhould appear that ſhe ha
made any ſuch Grant, it ſhould be revok'd or o
therwiſe redreſſed: on which the Common
make her an humble Addreſs of Thanks, an
a Grant of Subſidies: and yet I do not find th
Queen ever did any thing in it: But what th
King did as to the *Grievances* (for that was th
Word) I ſhall come to ſhew preſently.

V. Sir Simon D'ewe's *Journal of the Commons.* 44. Eliz.

V. Townſend's *Collections.* 44. Eliz.

The next thing he trumps up, is, *The King's having the ſecond time levied an injurious War a gainſt his Native Country*, Scotland; *a War (ſaith he) condemned and abominated by the whole Kingdom, and which the Parliament judged one o their main Grievances.* Nor without reaſon, fo that was a cover'd Diſh, and had been long be fore cooking for their own Tooth: The knew it would keep cold for another time, and the King was not yet become neceſſitous enough to have it opened at preſent. But, to obſerve the wording it! *The King levied an unjuſt War!* &c. As if a King might not defend himſelf a-gainſt the Rebellion of his natural Lieges! For ſuch (and no other) was the caſe here. But the Story is thus. The King in the Sixteenth of his

Milt. *p.* 3.

Reign,

Reign, had call'd another Parliament, which opened 13. *April* 1640. at which time the *Scots* with an armed Force lay upon the Borders. His Majesty by Sir *F. Finch* (Lord Keeper) tells them of the *Scots* Insurrection the Summer before, which he had pass'd by upon their Protestations of their future Loyalty; instead of which, they had now address'd to the King of *France*, to put themselves under his Protection, and causes an intercepted Letter of theirs, signed by the heads of those Covenanters (one of whom was then in Custody) to be publickly read, and therefore demands a Supply. The Commons consider of it, and pay it with complaints; Innovation in Religion! Grievances against Liberty, Property, and Privilege of Parliament! The King sends several times to the Houses, and presses to them the danger of the *Scots* Army; but the question is which shall have the Precedency, The Supply, or Grievances. The Lords are for the former, and that the King ought to be first trusted. The Commons are so long a tuning their Instrument that the King (in despair of any good Musick from 'em) dissolves them the Fifth of *May* following. From which, our Accuser thus infers, that *strong Necessities, and the very pangs of State, not his own Choice and Inclination, made him call this* (Monstrum Horrendum, Informe, Ingens) *last Parliament*, which began the third of *November*, 1640. when yet he brings nothing to back his Assertion, but the scurrillous Language of *the General Voice of the People almost hissing him, and his ill-acted Regality, off the Stage: That it was impossible he should incline to Parliaments who never was perceived to call them, but for the greedy*

V. Rushw. Coll. 16. Car. 1.

Milt. p. 3.

hope of a National Bribe, his Subſidies; and never lov'd, fulfill'd, or promoted the true end of Parliaments, the redreſs of Grievances, of which himſelf was, indeed, the Author: Not doubting alſo to call it, *a natural Sottiſhneſs, fit to be abuſed and ridden.* And if this be the Reverence due to Majeſty, this the Reſpect we pay the Vicegerent of God, ſure *Job* was miſtaken when he ſays, " Is it fit " to ſay to a King, Thou art Wicked? and to
Job 34. 18. " Princes, Ye are ungodly? The Interrogation is in the Affirmative, and concludes in the Negative; No certainly, it is not fit. St. *Paul* checks
Acts 25. 5. *Jude* v. 9. *Zach.* 3. 2. a bare ſlip of his Tongue toward the High Prieſt; and the Arch-Angel (in *Jude*) brought not a railing Accuſation, even againſt the Devil.

And yet when His Majeſty ſays, " He hop'd " by his Freedom, and their Moderation to " prevent Miſunderſtandings: See how, Spider-like, he draws Poiſon from what the Bee would have ſuck'd Honey! *And wherefore* (ſaith he) *not by* their *Freedom and* his *Moderation! But Freedom he thought too high a Word for them, and Moderation too mean a Word for him.* Inſolence! and if this (as it ſeems to be) were the early Moderation of his Maſters, I the leſs wonder how they broke down that Wall, which at once adorn'd and defended their way. However, for reply to it, the Kingdom was fallen into a Diſtemper that required a Cordial more than a Corroſive; ſomewhat to cool, not heighten the Fever. And if His Majeſty did not contribute his part to it, let any Man judge. When beſides his granting *The Petition of Right*, (of which before) he denied this Parliament nothing they had the confidence to ask him.

Witneſs

Witneſs his paſſing the Bill for a *Triennial Parliament*. — For the continuance of this Parliament during the Pleaſure of both Houſes; than which, what more could they have demanded, but the Kingdom alſo? —— For the raiſing Moneys for the disbanding of the Armies of *England* and *Scotland*. It was but a modeſt diſarming the King, and for the *Scots*, they wanted not the Bait to get them together again.— The taking away the ſeveral Courts of the *Star-chamber*; the Preſidencies of *Wales* and the *North*; Dutchy of *Lancaſter*, and the Exchequer of the County *Palatine* of *Cheſter*.—— The High Commiſſion, and Oath, *Ex Officio*.—— Limiting the *Stannary* Courts--Setting Bounds to Foreſts. — The Bill againſt Ship-Money.—— And (what our Anſwerer calls) compulſive Knighthoods.—— Add to this, his Conſent to a Bill for Two Hundred and Twenty Thouſand Pounds for the Supply of the Occaſions of *our Brethren of* Scotland.—— For preſſing Soldiers for *Ireland*.—— Borrowing Four Hundred Thouſand Pounds for the neceſſary defence, and great affairs of *England* and *Ireland*.— And another for the encouragement of Adventurers for *Ireland*. So that (in effect) there remain'd little more for them to ask, or His Majeſty to grant.

Vid. Scobel's *Collection of Acts and Ordinances from* 1640. *and the Statutes at large*, 16 *and* 17 Car. I.

And now (to uſe the Parable of the Prophet touching his Vineyard; "A Vineyard in a very "fruitful Soil. He fenced it, and gathered out "the Stones thereof, and planted it with the "choiceſt Vine, *&c.* And he looked that it "ſhould bring forth Grapes, and it brought "forth Wild Grapes.) Judge I pray between the King and his Vineyard, the Kingdom:

Iſa. I. V. 1. *to* V. 8.

What could have been done more to it, th
he had not done in it? " And he look'd fo
" Judgment, but behold Oppreſſion; for Righ
" teouſneſs, but behold a Cry.

Judge (I ſay) between the King and them
when they had no ſooner gotten an Army an
Money together, and that for *the reducement* o
Ireland, as was pretended, than they drove th
King from *Whitehall* by Tumults, and fought hi
at *Edge-Hill* with thoſe individual Forces.

Vid. *His Majeſty's Anſwer to their Iriſh Papers.*

They tax'd the King of illegal exactions an
grievances, which he readily redreſſed. We
ſee now how they mended it themſelves. *Ship*
Money (which was about Ten Shillings a Month
out of a Thouſand Pounds a Year) was a grea
Burthen to the Country, and the King took it of
They ſet up the *Exciſe* in the room of it, whic
was Two Hundred Thouſand and Ninety fiv
Pounds for one Year; beſides Eight Thouſan
Sixty three Pounds paid in the Country to th
Army.— The Country groan'd under *Coat*, an
Conduct-Money. They brought in an Army o
One and Twenty Thouſand *Scots*, inſtead o
'em.—— The King granted that Right be don
They ſecur'd Property in Sequeſtring Mens E
ſtates. —— In a word, the Court went awa
in the City's Debt: They made an Ordinanc
for *the Publick Faith* of the Kingdom, for the re
payment of publick Debts, (that is) ſuch Mo
neys as they had borrow'd for the carrying o
of their Rebellion.—— And for fear the King
lightning their Burthens ſhould make the Peo
ple grow wanton, they began with an Aſſeſ
ment for the twentieth part of their Eſtates
and all this too for the Eaſe of the Nation.

See more of this, chap. 13, 15.

An

And lastly, to consider what return they made him. —— *Quis talia fando Temperet?* —— They first stripp'd him of his Royal Authority; and having dealt with the Monarchy it self like Gold-beaters, beaten it so thin that there remain'd no more of the Substance, than the empty appearance: They accuse him in the name of all the Commons of *England*, (in which case how could any of them be as Witness, when they were both Accusers and Judges?) Try him with a ridiculous Pageantry, that had neither Equal nor Superiour in his Realm: Traiterously sentence him, and as ignominiously murther him before his own Palace: And (to fill up the measure of their Wickedness) abolish Kingly Government, and proscribe his Posterity.

And so judge also, whoever he be that reads me, whether they deserv'd not what the Prophet says he will do to his Vineyard? "I will take "away the hedge thereof, and it shall be eaten "up; and break down the Wall thereof, and "it shall be trodden down. I will lay it waste; "it shall not be pruned nor digged, but there "shall come up Briars and Thorns: I will also command the Clouds that they rain no "Rain upon it. But to return to our Answerer.

The King in his wonted Sincerity, says, "The *Odium* and Offences which some Mens rigour, or remissness in Church and State, "had contracted upon his Government, he "resolved to have expiated with better Laws "and Regulations. A healing Proposition one would have thought, and a fair step to an Accommodation. A King said it, nor is it for Princes that they should Lye; and therefore

could not but be credited by every Honeſt Man; for he that is Vertuous himſelf, believes the ſame of another. But this Anſwerer according to the fullneſs of his Heart, vomits out theſe and the like Expreſſions: *And yet* (ſaith he) *the worſt of Miſdemeanours committed by the worſt of all his Favourites, he hath from time to time continued, owned, and taken upon himſelf by publick Declarations, as often as any of his Inſtruments felt themſelves over-burthen'd with the Peoples Hatred.* And yet as publick as they are, he inſtances not in any one Particular, by which to have examin'd it. A Favourite is the ſame to a King, that a Friend is to a Private Man, he may unburthen himſelf to him; and it is not the Crowd, but agreement makes the Company. Nor are all Men of like Merit, more than they are of Face; and therefore if a King ſay *Euge bone Serve*, muſt our Anſwerer's Eye be evil, becauſe the King's is good? But the point lies not there: They are not piqu'd that the King might have Favourites, but that themſelves are not thoſe Favourites; and conſequently wanting Vertue in themſelves, not only envy it in others, but ſtrike at the Prince through the Sides of his Favourites.

I thought to have paſs'd that, *The King's Reverend Statute* (as he calls it) *for* Dominical *Figgs and Maypoles, publiſh'd in his own Name, and deriv'd from the Example of his Father* James: And had ſo done, but that it being ſpoken to the People upon the Wall, I alſo thought it could be no hurt to undeceive them in the matter. *Statute* I am ſure there is none in the caſe, and if there were, Where lies the Blame? But thus it is. The *Sabbatarians*, and *Anti-Sabbatarians* (the one holding the Fourth Commandment to be ſimply

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ſimply moral, and everlaſtingly oblig'd *Chriſtians* as well as the *Jews*; the other, that it was the ſame with other days, and to make it a *Jewiſh Sabbath* was but *Will-worſhip*,) had come from Pens to Blows; nor would the labouring ſort of People, who had no other time of Recreation, be depriv'd of that: And thereupon the King ſets forth a Declaration for tolerating Sports on the Lord's Day in the Afternoon: Wherein (as it is confeſs'd) he was not without Precedent at home, and has ever been, and now is, the Practice of *Holland* and *Geneva*. And why all this Cry! Even the *Jews* had their *Sabbath-days Journey*, and for my part, I ſhould ſooner truſt a Man that (after the Service of the Day is over) takes a harmleſs Diverſion on a Sunday, than him that runs from Sermon to Sermon, and cheats his Neighbour when he comes home. The Baker of *Banbury* that whipp'd his Cat for killing a Mouſe on the Lord's Day, came ofter to *Seſſions* than any two of the Trade.

Godwin's *Jewiſh Antiquity*. p. 112.

And this (ſaith this **Accuſer**) *is the Subſtance of his firſt Section, till we come to the devout of it:* which he calls *the Lip-work of every Prelatical Liturgiſt, clapp'd together, and quilted out of Scripture-Phraſe*, &c. And makes it *the Policy of a Tyrant to counterfeit Religions:* As for Example, *Andronicus Commenius, the* * Bizantine *Emperor, who by a conſtant reading of Saint* Paul's *Epiſtles, had ſo incorporated the Phraſe and Stile into his familiar Letters, that the Imitation ſeem'd to vie with the Original: Yet this avail'd not to deceive the People of that Empire, who, notwithſtanding his Saint's Vizard, tore him to pieces for his Tyranny.* To the Malice of which, I ſhall only make this re-

* Conſtantinople.

turn,

turn, "That as he travail'd with Iniquity, he
Pſal. 7. 14. "hath conceiv'd Miſchief, and brought forth
"Falſhood. When yet, if he had gone no farther than his own time, he might have ſpoken Truth, though not *cum Privilegio*. For what were all the Actions of thoſe his Maſters, but Theatrical Hypocriſie? A mere Shell, and outſide of Religion, and Rebellion blanch'd and varniſh'd with diſſembled Sanctity. And therefore inſtead of *Andronicus*, he might have better inſtanc'd in *Oliver Cromwell*, who had it to a Hair, and never ſo fervently ſought God, as when he acted moſt ſtrongly againſt him: What he might have been at his Pen I know not; but for knocking his Breaſt, lifting up his Eyes, atteſting God, and invoking Imprecations on himſelf, if he did not that which he never intended, he ſhould have given *Andronicus* a Barr and an half, and out-thrown him too; though this (by the way) I muſt take leave to ſay, it was not altogether *Andronicus*'s Tyranny, but his Uſurpation and Murther of his Predeceſſor and Nephew, *Alexius Comnenius*, that gave him that Tragical *Exit*.

And again (for he cannot ſpeak without bitterneſs) where the King ſays, "I intended "not only to oblige my Friends, but my Ene-"mies alſo; exceeding even the deſires of thoſe "that were Factiouſly diſcontented, if they "did but pretend to any modeſt and ſober "Senſe. He ſays thus; *Poets never put more pious Words in the Mouth of any Perſon than of a Tyrant; and I ſhall not inſtance an abſtruſe Author, wherein the King might be leſs converſant, but one whom we well knew was the Cloſet-Companion of theſe his Solitudes*, William Shakeſpear, *who brings*

brings in Richard *the Third ſpeaking in as high a ſtrain of Piety and Mortification, as is in any Paſſage of this Book*, &c. And what's this but mere Malice to expoſe the King to the Cenſure of the Rabble? How! A King and have ſuch Books in his Cloſet! As if he alone were confin'd to *The Crumbs of Comfort*, *The Sick-man's Salve*, and *The Minc'd-meat of Divinity*. When *Alexander* (for the moſt part) carried *Homer* in his Pocket; and *Virgil*, *Horace*, *Terence* were not leaſt in requeſt with *Auguſtus*; nor do I think but there are many things in Mr. *Shakeſpear*, that may be ſafer read than a Seditious Sermon.

Laſtly, he as opprobriouſly, as infamouſly endeavours another blot to his Memory, in rendring His Majeſty ſo inſenſible *of that ſad hour which was upon him, as immediately before his Death to pop into the Hand of that grave Biſhop, who attended him, a Prayer, ſtollen Word for Word from Sir* Philip Sidney's Arcadia, *a vain amatorious Poem* (as he calls it) and that in a Language eſtrang'd to Humanity, which never inſults over even a Slave in Miſery. And therefore paſſing that Scurrillity for fear of being infected my ſelf, I ſay thus: It ſeems improbable that he to whom (as *Solomon* ſays of himſelf) "God had given "to ſpeak as he would, and conceive as is meet "for the things to be ſpoken of, ſhould be guilty of ſo open a borrowing, without ſome acknowledgment at leaſt to the Author. I ſaid ere while, that I ſaw, and read a part of the King's Book the very next Morning after that execrable Murther, to which I add this now (and with that regard as if it were my laſt) that it was not many days before I bought it my ſelf, and frequently

Wiſd. 7, 15.

frequently read it, with the best attention I wa
capable of, nor do I remember to have met i
in that *Quarto* Impression. And I have an O
Octavo of a later Edition now before me, in which
it is not. However it first came into the Book
it makes so little to the purpose in this Place
that nothing but Envy, Hatred, Malice, and a
Uncharitableness had ever thought of it, unles
as (*Malitia supplet ætatem*) Malice supplies Years
he also did it for want of Argument.

But stay — And I'll suppose for once tha
His Majesty did give this Prayer to the Bishop
and if he did, where lies the Scandal? The Pray-
Sir Ph. Sid. Arcadia. 248. er ('tis true) is the Prayer of *Pamela* under Im-
prisonment, but withal, so Divine a Meditation
that it speaks the Soul of the Honourable Com-
poser. What is that Thought of Mr. *Sher-
ley*'s,

(*Only the Actions of the Just*
Smell sweet, and Blossom in their Dust,)

the worse, that it is in one of his Plays?
Or is it a just Quarrel to the *English Liturgy*,
that it is taken out of the *Roman Missal*? St.
Acts 17. 28. *Paul* convinces the *Athenians* of *the unknown God*,
whom they ignorantly worshipp'd, from their
Titus 1. 12. own Poets: And in his Epistle to *Titus*, does
not bid him, *Cretizare cum Cretensibus*, but
"rebuke them sharply from one of themselves,
"even a Prophet of their own. In a word,
true Morals, and good Thoughts lose nothing of
their Innate Excellence, from whencesoever
they are handed to us. The Devil had not
been the Enemy, but Friend of Mankind, if he
had spoke no worse in *Paradise* than he did at
Delphos,

Delphos, viz. (γνῶθι σεαυτὸν) Know thy ſelf. And therefore admitting the Accuſation were true, where lies the Scandal? Nor will he have done while there's a drop yet left. The King ſays, " He call'd this Parliament with an up- " right Intention, to the Glory of God, and " his People's good: Our Anſwerer makes this of it, That *there be ſome whom God hath given over to Deluſion, whoſe very Mind and Conſcience is defil'd*; *of whom St.* Paul *to* Titus *makes mention.* To which I ſay, there is not any one ſuch Expreſſion in the whole Epiſtle; but others there are, whom he calls " Evil Beaſts, " Slow-bellies, and ~~Lions~~: With which I leave him, and proceed to the ſecond Section.

CHAP. II.

Upon the Earl of Strafford's *Death.*

" I Looked upon my Lord of *Strafford* (ſaith " His Majeſty) as a Gentleman, whoſe great " Abilities might make a Prince rather afraid " than aſham'd to employ him in the greateſt " affairs of State. Yes (ſaith our Anſwerer) *He was a Man whom all Men look'd upon as one of the boldeſt, and moſt impetuous Inſtruments that the King had to advance any violent or illegal deſign. He had rul'd* Ireland, *and ſome Parts of* England *in an Arbitrary manner: Had endeavour'd to ſubvert Fundamental Laws and Parliaments: To make Hoſtility between* England *and* Scotland: *And*

Coun-

Counſelled the King to call over that Iriſh *Army of Papiſts to reduce* England. *For which, and many other Crimes alledged and proved againſt him in twenty eight Articles, he was Condemned of High Treaſon by the Parliament. The Commons by the far greater number Caſt him: The Lords likewiſe agreed to the Sentence, and the People cry'd out for Juſtice,* &c. *Only the King* (ſaith he) *was not ſatisfied in his Conſcience, to Condemn him of High Treaſon.*

In reply to which, I think he might more truly have ſaid, *not prov'd but alledg'd*, as I ſhall come to ſhew preſently. That he was one the Darling of the Commons, we have ſeveral Inſtances of it in Mr. *Ruſhworth*. But (alas!) the King had made him *Lord Deputy of* Ireland, and the heighth of that Sphere contracted Envy in the Great Ones, and an *Odium* in the People; nor is it every one that can ſay —— *non pluribus impar*. Though during that his Government, he improv'd the Revenue of that Kingdom, which before his time had been rather a Charge than Advantage to this; and procur'd of the King, that all Impropriations then in the Crown be reſtor'd to the Church of that Nation, and ſupplied it with Learned Men out of *England*; upon the Scottiſh Invaſion in 1639 he counſell'd the King ('tis true) to fight them out; *Vox Reipub. honeſta, ſibi anceps*, (as *Tacitus* of *Galba* on the like Occaſion) for the Scotch Commiſſioners not long after preferr'd that Charge in Parliament againſt him before-mention'd: And then, for the *Iriſh Army* of Papiſts, &c. that brings me naturally to the Articles themſelves, which were (as is ſaid) Twenty Eight in number: Some of which were for mat-

His Tryal of Tho. Earl of Strafford. Fol. 763. to 769.

ters

ters of Fourteen Years ſtanding; ſome of them (as the Firſt, Seventeenth, Eighteenth) not inſiſted on; and others (as the Fourteenth, Twenty firſt, Twenty Second, Twenty Fourth,) not arg'd. And to diſable him of the Teſtimony and Aſſiſtance of Sir *George Ratcliffe* (his *quondam* Secretary, and now Friend) he alſo was charged with High-Treaſon, and Confederacy with him, and ſent for out of *Ireland*. The Earl had now been under five Months Impriſonment, when, the 22d of *March* 1640. he was brought to his Tryal, which held till the 13th of *April* following, and in which he defended himſelf ſo well, that ſince there was neither Matter nor Proof enough againſt him to take off his Head by the Common-Law, it was reſolv'd a Bill of Attainder ſhould. The pinching Article againſt him was the Twenty third, and is the main Particular mention'd in the ſaid Bill, *viz.* "That he adviſ'd the King, that he "was looſe, and abſolv'd from the Rule of Go-"vernment, and that he had an Army in *Ire-*"*land*, by which he might reduce this Kingdom. A ſhrewd Article no doubt, and ſufficiently evidences their Crime, that (without the King's Conſent) afterwards brought the *Scots* into *England*. But let us ſee how this was proved. There had been an old grudge between Sir *Henry Vane* the Father, (Secretary to the King) and my Lord of *Strafford*, touching the Title of Baron of the Caſtle of *Raby*, of which *Vane* was Proprietor, and endeavour'd the Honour to himſelf; notwithſtanding which, the King had given it to the Earl of *Strafford*: And it ſo happen'd that the ſaid Sir *Henry* having a ſudden occaſion to make uſe of a Paper, gave his Son (young

Dr. Nalſon's *impartial Collect. Part* 2. *Fol.* 8.

(young Sir *Henry Vane*) the Key of his Cabinet where lay another Key, which open'd a Till in which he found ſome ſhort Notes of a Committee of eight of the Privy-Council, of which the ſaid Earl was one, upon this Queſtion, Whether the War with *Scotland* ſhould be offenſive or defenſive: In which there were Words, ſpoken by the ſaid Earl ſomewhat to that purpoſe, but ſtill relative to the War with *Scotland*: However, young Sir *Henry* carries it to the Lords, and makes it an Article of the Additional Charge againſt him, which upon full Evidence of ſuch of the ſaid eight as were now in Priſon, terminated in this. "The Earl of "*Northumberland* being interrogated touching "theſe Words, abſolutely denied that ever he "heard the ſaid Earl ſpeak them. Mr. Treaſurer (Sir *H. V.*) ſhuffled in his Evidence "forward and backward; and at laſt ſaid, he "thinks they were ſpoken poſitively, or to that "effect. [And a ſhrewd Evidence for the proof of a Bond!] "The Lord Treaſurer declar'd "that he never heard the ſaid Earl ſpeak the "ſaid Words, or any thing like it. The Lord "*Cottington* to the ſame purpoſe; and think "the Earl might ſay, The Parliament had not "provided for the King, and that the King "ought to ſeek out all due and lawful ways to "employ his Power and Authority, *Caſte & "Candide*, which Words he very well remembers. The Marqueſs *Hamilton*, that he hath "often heard the ſaid Earl uſe thoſe laſt Words "to the King; for otherwiſe (ſaid the Earl) "it were unjuſt and oppreſſive. And to the "ſame purpoſe the Lord *Goring*, and Sir *Thomas German*, in behalf of the ſaid Earl.

The Tryal, Fol. 563.

Ibi Nalſon. *Fol.* 87.

How-

However die he muſt; and to that end a Bill of Attainder was prepar'd by both Houſes, to which the King, *May* the firſt, in the Houſe of Lords, the Commons then preſent, declar'd, "That in his Conſcience he could not con-"demn him of Treaſon. On which a City armed Rabble of about Six Thouſand, tumultuouſly flock to *Weſtminſter*, crying, Juſtice! Juſtice! againſt the Earl of *Strafford*: Which (within a day or two) they ſecond with a Petition. On which the Earl (leſs valuing his Life than the quiet of the Kingdom) writes a Letter to the King, whereby to ſet his Conſcience at Liberty, and by his own Conſent prays him to paſs the Bill; which in a few days after, was (by Commiſſion to the Earl of *Arundel*, and three other Lords) accordingly done, with this *Proviſo*, "That no Judge or Judges, *&c.* ſhall ad-"judge or interpret any act or thing to be "Treaſon, nor hear or determine any Treaſon "any other way than they ſhould, or ought to "have done before the making of this Act, and "as if this Act had never been had or made. A modeſt Confeſſion! and that nothing but an Act of Parliament could affect him: Nor unlike that Clauſe in an Ordinance of the King and Lords, for the Baniſhment, *&c.* of the Lady *Alice Pierce*, (a Favourite of King *Edward* the Third's) *viz.* "That this Ordinance in "this Special Caſe, which may extend to a "Thouſand other Perſons, ſhall in no other "caſe but this be taken in Example. However, after the Bill was paſs'd, the King (as deeming, *They will reverence my Son*) wrote a Letter to the Houſe of Lords with his own Hand, and ſent it by the Prince of *Wales*, in which he in-

Mr. Selden's Privilege of Baronage. 73

terceeds for that Mercy to the Earl which many Kings would not have ſcrupled to have given themſelves. But 'twas reſolv'd, and nothing would do. And thus between *Accumulative* and *Conſtructive* Treaſon, nor better prov'd than I have ſhewn before,

Taken from Mr. Cleveland.

Sic inclinavit heros caput,
Bellua multorum Capitum :
Merces favoris Scottici, præter pecunias ;
Nec vicit tamen Anglia, *ſed oppreſſit.*

Or, if my Reader had rather have it in *Engliſh*, take it from that happy Flight of Sir *Richard Fanſhaw* on that Occaſion :

And ſo fell Rome, *herſelf oppreſs'd at length,*
By the united World, and her own Strength.

And yet (not to leave his Memory in the Duſt) there is an Act of Parliament that vindicates all I have ſaid in the matter ; and that is, The *Act for reverſing this Attainder* ; which ſays thus, " That the Bill of Attainder was pur-
13, 14. Car. 2. c. 30. " poſely made to Condemn him upon Accumu-
" lative and Conſtructive Treaſon, none of
" the ſaid Treaſons being Treaſon apart, and
" ſo could not be in the whole, if they had
" been prov'd, as they were not. And the Act
" further ſays, It was procured by an armed
" Tumult, the names of Fifty nine of the
" Commons that oppoſed the Bill, poſted by
" the name of *Straffordians* ; and ſent up to the
" Peers at a time when a great part of them were
" abſent by reaſon of thoſe Tumults, and
" many of thoſe preſent proteſted againſt
" it.

" it. For which Causes, and to the end that Right
" be done to the Memory of that deceased
" Earl, it was enacted, *&c.* That the said Act,
" *&c.* be repeal'd, *&c.* And all Records and
" proceedings of Parliament relating to the
" said Attainder be cancell'd and taken off the
" File, *&c.* to the intent the same may not be
" visible in after-Ages, or brought in Example
" to the prejudice of any Person whatever.
" Provided that this Act shall not extend to the
" future questioning of any Person, *&c.* how-
" ever concern'd in this Business, or who had
" any hand in the Tumults, or disorderly
" procuring the Act aforesaid, *&c.* A shrewd suspicion that they thought that Act of Attainder was not so regularly obtain'd as it ought to have been; for if it had, what needed that *Proviso*? And having duely considered this Act, I think the Wonder will cease why the King was so dissatisfied in his Conscience touching the giving his Assent to that Bill of Attainder; or that the Lord *Capel* so publickly begg'd forgiveness of God for having given his *Consent* toward it: At least (I presume) it may startle any Man, that from such repeated Calumnies has not yet come to be of our Answerer's Opinion, *That there may be a Treason against the Commonwealth as well as against the King only.* A Treason not mention'd in 25 *Edw.* 3. or in any Statute since, saving those of the late Usurper's making; inasmuch as no Estate or Estates of the Realm make any thing of themselves, but as joyned to their Figure, the King. And therefore passing *the King's most detested Conspiracy* (as he calls it) *against the Parliament and Kingdom, by seizing the Tower of* London; *bring-*

His Speech on the Scaffold.

ing the Engliſh *Army out of the* North, *&c.* I leave him and his Stuff together, and come to the Third.

CHAP. III.

Upon His going to the *Houſe of Commons.*

I Said ere-while His Majeſty might think the Lords would reverence his Son; nor was it to be doubted whether the Commons would himſelf: Eſpecially conſidering the buſineſs he went about. "It was (ſaith the King) to de-"mand Juſtice upon *the Five Members*, whom "upon juſt motives, and pregnant grounds I had "charged, and needed nothing to ſuch Evi-"dence as could have been produced againſt "them, ſave only a free and legal Tryal, which "was all I deſired. Which fill'd indifferent "Men with Jealouſies and Fears; yea, and ma-"ny of my Friends reſented as a motion riſing "rather from Paſſion than Reaſon.

See (ſays our Anſwerer) *He confeſſes it to be an act which moſt Men, whom he calls his Enemies, cried ſhame upon; indifferent Men*, &c. (as before) *He himſelf in one of his Anſwers to both Houſes made profeſſion to be convinc'd that it was a plain breach of their Privilege: Yet here, like a rotten Building newly trimm'd over, he repreſents it ſpecioſly and fraudulently to impoſe upon the ſimple Reader*, &c. Words inſolent enough without adding

ding the reſt; though it had not been from his Matter if he had told that ſimple Reader, in which Anſwer of his Majeſties he might have found that Profeſſion. However, for the diſcovery of the Truth on both ſides, it may not be amiſs to make a few ſteps backward, that conſidering the occaſion, we may the better judge of the thing.

It had been advis'd to the King by the then Privy-Council of *Scotland* to ſend the Book of Common-Prayer to be receiv'd and us'd in all Churches of that Kingdom, which was accordingly order'd: And in the Month of *July*, 1637. publickly read in the great Church of *Edinburgh*. The *Kirkmen* took fire at it; nor wanted there ſome in *England* to fan the Flame, which in a ſhort time got that head, that they invade *England*; but finding the deſign not ripe enough yet, they humbly ſubmit, and the buſineſs is ſmother'd: Whereas, had thoſe ſmoaking Brands been ſufficiently quench'd, they had not made a greater Eruption the next Year. During this time the King had gotten into the matter, and calls this Parliament with a real intention of quieting all. They begin where the laſt Parliament left: Complaints of Grievances, Innovations in Religion, Growth of Popery, and Arbitrary Power, and ſingle out the Earl of *Strafford* for an example of their Juſtice. The King (I ſaid) was got into the matter, and had diſcover'd whoſe Correſpondencies and Engagements they were that had embroil'd his Kingdoms, and ordered his Attorney to draw a Charge of High-Treaſon againſt the Lord *Kimbolton*, Mr. *Pym*, Mr. *Hambden*, Mr. *Hollis*, Sir *Ar. Haſlerigg*, and Mr. *Strode*. Which was accordingly done, and

The King's Declaration. 1639.

the ſubſtance of it is this. "That they have Trai-
"terouſly endeavour'd to ſubvert the Funda-
Sanderſon's Hiſt. of K. C. I. Fol. 473. "mental Laws of this Kingdom, and to deprive
"the King of his Power. —— That they have
"endeavoured by foul Aſperſions to alienate the
"Peoples affections from the King. —— That
"they have traiterouſly invited and encourag'd
"a foreign Power to invade His Majeſties King-
"dom of *England*. —— That for the compleat-
"ing their traiterous deſigns, they have actually
"rais'd and countenanc'd Tumults againſt the
"King and Parliament. —— And that they
"have traiterouſly conſpired to levy, and actu-
Nalſon. 2d Part F. 811. "ally have levied War againſt the King. On
ad idem. this (the King having firſt demanded them of
the Houſe by a Serjeant at Arms) a Warrant is
granted to apprehend them; but miſſing their
Id. Fol. 814. Perſons, their Trunks are ſeiz'd, and ſeal'd
up: While this was yet doing, the Com-
mons had notice of it, and thereupon Vote,
"That on all like occaſions for the future, any
"Member might call a Conſtable to his aſſiſt-
"ance, defend himſelf, and ſeize all ſuch Perſons.

The next Morning the King goes to the Houſe
with part of his ordinary Guard of Penſioners,
and orders them to ſtay without; and having
reſted himſelf in the Speaker's Chair, told them,
Id. Sander. Fol. 474. "He came to demand five Perſons whom he
"had accuſed of High-Treaſon. And though
"no King that ever was in *England* could
"be more tender of their Privileges, that
So Sir E. Coke 4 Inſt. 25. "yet they knew, there was no Privilege a-
"gainſt Treaſon. And (looking round him)
"I ſee (ſaith he) they are gone: But aſſured
"them in the word of a King that he never in-
"tended any force, but to proceed againſt

"them

" them in a legal fair way, and therefore ex-
" pected the House would send them to him ;
and so went off. Nor was he yet out of hear-
ing when the general Cry was Privilege ! Pri-
vilege ! And the next day they Vote this co-
ming of the King a breach of Privilege, and
adjourn for a Week into *London*, there to sit as
a General Committee, pretending they were
not safe at *Westminster* ; and (though the King
afterwards wav'd their Prosecution) would
not be satisfied unless he also discover'd who
gave him that Counsel to come to the House :
as if it were not enough that he forbore his E-
nemies, without he also betray'd his Friends.

Upon this, Tumult upon Petition, and Peti-
tion upon Tumult, daily encreasing, the King,
Queen, Prince and Duke retire to *Hampton-
Court*, the Members in the mean time passing
to and from *Westminster* with Hundreds of Boats,
Flags, Seamen, Rabble, and *Huzza*'s as they
pass'd by *Whitehall*.

And now again judge any sober Man between
the King and them. The King (to avoid the
ill consequence of a denial) gave his Assent to
the Bill of Attainder against the Earl of *Strafford*:
He demands Justice against the five Members,
and 'tis refus'd him : If they were guilty, why
were they protected against him ? And if not
guilty, why did they not clear themselves ?
The King came to the House with an attendance
short of his ordinary Guard, and it was Vo-
ted a Breach of Privilege. They had their
armed Tumults of Six Thousand at a time to
awe the King's Friends, and no notice taken of
it, but rather encourag'd : Whereas it is *Lex
& consuetudo Parliamenti* ; " That whereso-
ever

Sir E. Coke. 3 Inſt. 160. "the Parliament is holden, there ought to be "no wearing of Armour, exerciſe of Plays, "games of Men, Women or Children; much leſs Riots. What ſhall I add: They (in the Year 1647.) ſubmitted eleven of their Members to the impeachment of an Army; after that, their Houſe to be garbled; and when (contrary to the Fundamental Laws of this Kingdom) they had voted themſelves the Legiſlative Power of the Nation, as tamely ſubmitted to be turn'd out by their Journey-Men. And yet, when the ſafety of the Nation was at ſtake, inſolently contend, nay mate it with their Sovereign. And therefore weighing altogether in a true Balance, judge (I ſay) wherein the King was to blame, or where lay this breach of Privilege.

And for what His Majeſty's Intention in this matter was (beſides what has been before urg'd) take this further from himſelf, where he ſays "If he purpos'd any Violence or Op-"preſſion againſt the Innocent, then let the E-"nemy perſecute my Soul, tread my Life to "the Ground, and lay my Honour in the Duſt. To which this Accuſer thus: *What needs there more diſputing? He appeal'd to God's Tribunal, and behold God hath judged and done to him in the ſight of all Men according to the Verdict of his own Mouth.* Whereas in Common Humanity as a Man, Charity as a Chriſtian, Reverence to him as a King, and Duty as his King, he might (and that truly) have ſaid, "As a Man "falleth before wicked Men, ſo fell'ſt thou.— "The Breath of our Noſtrils, the Anointed "of the Lord was taken in their Pits, of "whom we ſaid, under His ſhaddow we ſhall "live among the Heathen.

2 Sam. 3. 34.

Lam. 4. 20.

CHAP.

CHAP. IV.

Upon the Insolency of the Tumults.

WHat, and how frequent the Tumults of *London* and *Westminster* that follow'd the convening of this Parliament were, is obvious enough to every Man that knows the least of our own Story; and how aptly His Majesty has compar'd them, not to a Storm at Sea, (which yet wants not its Terror) "but an "Earthquake, which shakes the very Foundati-"ons of all, may be also as visible from the "too sad effects of them. Earthquakes, the more general they are do less hurt, by reason of the united weight which they offer to subvert; whereas narrow and particular Earthquakes have many times overturn'd whole Towns and Cities. And such was the Case here. The Kingdom as yet stood well enough, witness those the Nobility and Gentry, who out of a principle of Honour and Honesty adhered to the King: Some humours (tis true) might glow and estuate in the Body, but they were not yet got into the Head; (That Ricketty Head that was already swoll'n too big for the Body.) But when they once discover'd that Vent, all gather'd to it, and shook those Foundations which the Wisdom of so many Centuries had been laying and securing; as I shall come to show presently.

In

In the mean time our Answerer (for what concerns the King's Words) says, *The matter here is not whether the King or his Houshold* Rhetorician *have made a Pithy Declamation against Tumults, but first whether they were Tumults or not; next if they were, whether the King himself did not cause them*; and having all along begg'd the Question as to the first, makes the other as a consequence of the former. *The King* (saith he) *having both unwillingly call'd this Parliament, and as unwillingly from time to time condescended to their several Acts, first tempts the* English *Army with no less Reward than the Spoil of* London, *to come up and destroy the Parliament*; *But that being discover'd, makes the like bait to the* Scotch *Army, with the Addition of four* Northern *Counties to be made* Scottish; *with Jewels of great value to be given in Pawn the while, which they with much Honesty gave notice of to the Parliament. Besides this, a malignant Party was grown up*; *The Rebellion of* Ireland *broke out*; *a Conspiracy in* Scotland *had been made while the King was there against some Chief Members of that Parliament*; *numbers of unknown seditious Persons resorted to the City*; *the King upon his return from* Scotland, *dismisses that Guard the Parliament thought necessary to have about them*, and appoints *another, which they discharge*; *the People therefore, lest their worthiest and faithful Patriots should want aid, came in Multitudes, tho' unarm'd, to witness their Fidelity to them*, &c. *The King sends a Message into the City forbidding such Resorts*; *the Parliament Petition the King for a Guard out of the City to be commanded by the Earl of* Essex; *the King refuses it, and the next day comes to the House of Commons, and begins to fortifie his Court*; *many are wounded, whereof*

whereof some died; and so concludes *it was no Tumult: Or if it grew to be so, the Cause was in the King himself, who both by hostile Preparations, and an actual assailing the People, gave them just cause to defend themselves.* Which (saving the scandal of his wording it) is the full substance of his 24th, 25th, 26th, 27th Pages. Wherein also how far he has begg'd the Question, I appeal to every unbiass'd Reader.

How willingly the King call'd this Parliament, I have already shewn. And why he so unwillingly pass'd the Bill of Attainder against the Earl of *Strafford* I have not been wanting to it, and if he had never condescended to several of the Bills pass'd this Parliament, and since repeal'd, he had not with one hand cut off the other. But when he calls them *their Acts* I am to seek what he means. The office of the two Houses is Preparative and Consultive, but the Character of the Power rests in the final Sanction, which is the King: The passing a Bill is but the granting a Request; the two Houses make the Bill, but the King makes the Law, and 'tis the Stamp, not the Matter that makes it currant. Chap. 1. Chap. 2.

Then for that ridiculous Sham of *the Spoil of the City of* London, *&c.* He might as well have added the blowing up the *Thames*, and drowning the City, and altogether as probable, unless he had prov'd at least somewhat towards it.—— The Rebellion of *Ireland* ('tis true) was broke out, and they had gotten Four Hundred Thousand Pounds towards the reducing it; but what they did with those Moneys I have shewn before. And for the Conspiracy of *Scotland*, &c. *A malignant Party growing up; unknown seditious Persons resorting to the City*, &c.

Why

Why added he not the *Pope*'s Marrying th
Great *Turk*'s Sister? For who (besides himself
ever heard of this *Scottish* Conspiracy again
any but the King. And for that new coin'
Word *Malignant Party*, if he means the King'
Friends, they had an Act of Parliament fo
11 Hen. 7. c. 1. their Warrant; but for those *unknown Seditio*
Persons, 'tis somewhat strange (methinks) h
should call them Seditious, and not know wh
they were, unless it were in Contradistinction t
his own Party, whom all the World visibly fa
to be such.

*And for the King's discharging those Guar
the Parliament thought necessary*, &c. *And tho
discharging those other, that he had appointed the*
They were legally conven'd by the King
Writ, and the same Law was a full Security t
them: But by what Law they could take
Guard to themselves without the King's Co
sent (I think) the best of our Lawyers may b
yet to learn: And when (to gratifie their Incl
nations) the King had appointed them anothe
which they discharg'd, what was it but to sp
a defiance in his Face. For my part, I spea
plain *English*, and let my Reader judge betwee
this our Answerer and me, whether his *There
fore the People came in Multitudes*, &c. be a suff
cient Justification of those Riots.

The King (saith he) *forbad those Resorts*, &
and no doubt justly, for it was no more tha
what the Law had forbidden to his Hand.
call'd them Riots, but take it thus: The
came to the assistance of that Parliament, wh
were then compassing and imagining to lev
a War against the King, the *overt act* of which
was, That they did actually levy it. —— I'l
ru

run it no higher: Though I have heard it said, —— *Faſcinus, quos inquinat æquat.*

However *the Parliament Petition the King for a Guard out of the City*, &c. Which, becauſe it falls more naturally under the ſubſequent Matter, I leave it till then, and in the mean time ask any Man whether from theſe Premiſes he has rightly concluded, that *they were no Tumults; or if they grew to be ſo, the cauſe was in the King himſelf*, &c. more than as an honeſt Man fighting with a Thief in defence of his Purſe, and is kill'd by him, may be ſaid to be the cauſe of his own death. And thus Men (like *Pythagoras*'s Scholars) take things by the wrong Handle, whereas if they took it by the right it would be quite another Matter; and as near as I can I'll open the truth of this.

The *Scottiſh* Invaſion had been accommodated at *Rippon* ſome Months before this Parliament ſate, nor had the King yet loſt the Reverence he had in the Hearts of his People, who all ſtood waiting what this Parliament would do, when inſtead of healing the Breaches, they rather widen'd them in falling upon the old Trade of Grievances, Popery, and Arbitrary Power; and that they might the better ſingle him from his Friends, and thereby deprive him of ſuch as had either Wiſdom, Authority or Courage to prevent or oppoſe their further Deſigns, they firſt fall upon thoſe that had either Written or Preach'd in defence of thoſe Rights of the Crown they intended to Uſurp; and arraign his Actions in his Miniſters, ſome of which are Impriſon'd, others fly: And on the other hand ſet at liberty ſuch as had been ſentenc'd for Seditious Writing and Preaching againſt him,

and

and bring them to *London* in Triumph to try how the People would be pleas'd with it, and consequently how their endeavours to draw the Peoples Affections from the King had already succeeded; and the general Applause on this occasion gave them no weak assurance of it.

And now having gotten from the King the Eyes of *Argus*, and to themselves the Hands of *Briarius*, they think themselves able enough to lessen him in his Power, and as preparatory to it, they first procure an Act of Parliament that they should not be Dissolv'd or Prorogu'd but by Act of Parliament: And which is remarkable, that very day on which his Majesty Sign'd the Commission for giving his Assent to the Bill for the Earl of *Strafford*'s Attainder: And having (in a manner) necessitated him not to deny any thing, they get his Assent to those several Bills before mentioned. Concessions one would have thought might have satisfied any sort of Men but those that were Pre-resolv'd not to be satisfied with any thing.

Chap. I.

Nor did the King in the least doubt their being satisfied, and therefore makes a Journey into *Scotland* to satisfie his Subjects there, as he thought he had done here; and they all seem'd to be so, especially as to the matter of Episcopacy, which they saw was tumbling beyond a Recovery. During this His Majesty's absence the Houses adjourn to the 20th of *October*, three days after which the Rebellion of *Ireland* broke out. The 25th of *November* the King returns to *London*, as yet welcom'd with the full Acclamations of the People, tho' he met not any suitable Reception from the Parliament, who instead of having swept out the

Aug. 1641.

the old Leven, had prepar'd new. However, the King having call'd them together the Second of *December*, recommends to them the raising Succours for *Ireland*, and on the Fourteenth again press'd it; and withal told them he took notice of a Bill that was then in agitation, to assert the power of Levying and Pressing Soldiers to the two Houses, which he was content should pass with a *Salvo jure* to him, and then, because the present time would not admit the disputing it; and one would have thought that when the King came so near, they might have met him half way: But instead of that they send him a Remonstrance the next day, in which they complain of the Designs of a Malignant Party, which by their Wisdom had been prevented; and running on with the old Cry against Papists, Bishops, and Evil Counsellors, magnifie themselves in what they had done for the good of the Kingdom, and cause it to be Printed.

About this time it was that the King had come to the House, and they adjourn'd into *London*, as before, when upon their return to *Westminster* they Petition the King for a Guard out of the City to be commanded by the Earl of *Essex* (a Gentleman who upon the account of his Father in Queen *Elizabeth*'s time, the business of the *Nullity* in King *James*'s time, and the little notice that had been taken of him at Court till now of late he had been made Lord Chamberlain, was a Discontent, and consequently a Darling of the People) as pretending they could not otherwise sit it safety: Which the King (as well he might) thought not fit to grant, inasmuch as it look'd so like a Force against July 29. 1641.

againſt himſelf, and afterwards prov'd ſo when they made him their General. But withal, let them know that if there were any ſuch occaſion, he would command ſuch a Guard to wait upon them as he would be reſponſible for to God Almighty.

H. Nalſon, *Part* 2. *Fol.* 839, *and* 840.

On this the *Militia* of *Weſtminſter* by Petition to the Houſe of Commons offer them their Service, when it ſhall pleaſe them to command it. —— The Lord Mayor, Aldermen, and Common-Council of the City of *London*, by Petition to the King, repreſenting (amongſt other things) His going to the Houſe, *&c.* Pray that the Tower may be put into confiding Hands, and a Guard be appointed for the Parliament or of the City; which was inſolently ſeconded by the diſorderly conflux of a Rabble about *Whitehall* and *Weſtminſter*. —— And that the Houſe might not be wanting while the Iron was hot, they Petition the King, that the Tower of *London*, all other Forts, and the whole *Militia* of the Kingdom be put into the Hands of ſuch Perſons as ſhould be recommended to him by both Houſes. Which his Majeſty (as juſtly he might) refuſed to grant; and for the Security of his Perſon, withdrew to *Hampton-Court*.

And now from the whole let any indifferent Man ſay for me, firſt, whether theſe diſorderly Proceedings were not Tumults, and next, if they grew to be ſo, how the King can be ſaid to be the cauſe of them himſelf. For though thoſe *hoſtile Preparations*, *and actual aſſailing the People*, which our Anſwerer ſays, *gave them juſt cauſe to defend themſelves*, might (perhaps) have been ſomewhat in the Caſe if thoſe People had not been the Aggreſſors; yet, when as him-

ſe

ſelf confeſſes, *the King had ſent a Meſſage into the City forbidding ſuch Reſorts*, what made they there? Nor can theſe Hoſtile Preparations, and actual aſſailing the People be other than what the Lord Mayor, *&c.* in their Petition to the King, repreſent, *viz.* His fortifying *Whitehall*, and the wounding ſome Citizens: Which His Majeſty thus anſwers, That (as to the former) his Perſon was in danger by ſuch a diſorderly conflux of People; and withal urges their Seditious Language, even at his *Palace* Gates: And (for the other) that if any were wounded, it was through their evil Miſdemeanours. And therefore to make it no more than the Caſe of a common Perſon; every Man's Houſe is his Caſtle; and if a confus'd Club-rabble gather about it, *Cum kickis & friskis & horribili ſonitu*, the Gentleman of the Houſe commands his Servants to beat them off, and in the doing it, ſome of the Aſſailants are wounded; nay put it further, kill'd. And what can the Law make of it? That it was an unlawful Aſſembly (I ſhould not have minc'd it, a Rout) it is manifeſt; and that what the Servants did was in defence of their Maſter is alſo as evident: Let the Rule of Law cut between us (*Quod quis ob tutelam Corporis ſui fecerit, id jure feciſſe videtur*:) Whatever a Man does in defence of his Perſon, the Law preſumes it to have been done Legally. O, but you'll ſay, It was not the Maſter himſelf! A Thief aſſaults a Gentleman in his Houſe, or upon the Road, the Gentleman's Servant in defence of his Maſter kills the Thief; he forfeits nothing. And if this holds in the caſe of a common Perſon, how much more then in Caſe of the King?

Id Nalſon. *Part* 2. *Fol.* 839, *and* 840.

Sir Ed. Coke 3 *Inſt.*

And lastly where he says, *Instead of Praying for his People as a good King should do, he Prays to be deliver'd from them,* " as from wild Beasts, " Inundations, and Raging Seas, that had o- " verborn all Loyalty, Modesty, Laws, Ju- " stice, and Religion. *God save the People from such Intercessors.* I think (*A gente inimica & dolosa, libera me Domine!*) " From an evil and " perverse Generation deliver me, O God! might have very well become any honest Man's Prayer concerning them: For in their Malice they slew their King, and in their Self-will they broke down a Wall.

CHAP. V.

Upon His Majesty's *passing the Bill for the Triennial Parliaments: and after, settling this, during the Pleasure of the two Houses.*

His Reign of Hen. III. p. 1. " PArliaments (saith Sir *Robert Cotton*) are " the times in which Kings seem less than " they are, and Subjects more than they should be. A smart Character, whether we respect those Paaliaments of *Henry* the Third, of whom it was spoken, or that Parliament of 1640. of which we are now speaking: And yet they are become so congenial, and as it were bred up, and embodied with the English Temper, (which, as

as it naturally reliſhes nothing but what comes from them, ſo it rarely diſputes any thing that is tranſacted by them) that ſome have thought this might be one reaſon that inclin'd His Majeſty to paſs theſe Bills; though for my part, I'll believe no Man againſt the King, when he ſays,

" That the World might be confirm'd in my " Purpoſes at firſt, to contribute what in Juſtice, Reaſon, Honour, and Conſcience I could, " to the happy Succeſs of this Parliament, " which had in me no other deſign but the general good of my Kingdoms. I willingly paſſed the Bill for Triennial Parliaments: Which, " as gentle and ſeaſonable Phyſick, might (if " well applied) prevent any Diſtempers from " getting any head or prevailing; eſpecially " if the Remedy prov'd not a Diſeaſe beyond " all Remedy.

And as to the other for ſettling this, during the Pleaſure of the Houſes, " An Act (ſaith the " King) unparallell'd by any of my Predeceſſors; " yet granted on an extream Confidence I had, " that my Subjects would not make an ill uſe of " an Act, by which I declar'd ſo much to truſt " them, as to deny my ſelf ſo high a Point of " my Prerogative, &c.

Whereas (ſaith our Anſwerer) *He attributes the paſſing of them to his own Act of Grace and willingneſs, as his manner is to make Vertues of his Neceſſities, he gives himſelf all the Praiſe, and heaps Ingratitude upon the Parliament, to whom we owe what we owe for thoſe beneficial Acts, but to his granting them, neither Praiſe nor Thanks.* No! and by what Law I would fain know, is the King obliged to paſs every Bill that is offered him?

him? He swears ('tis true) to defend the Laws, *i. e.* Such Laws as are then in being; but that obliges him to no futurity in granting every thing (whether good or bad) that shall be offer'd him: And therefore, unless he had shewn at least some one Act of Parliament that had not the Royal Assent to it, he might with more Modesty have acknowledged that it was in the King's Option whether to have passed these Acts or not; because neither of the Houses singly, nor both of them together can make any binding Law without the King's Concurrence, which gives the *Embryo* Life, and quickens it into a Law. But, (saith he) *The first Bill granted less than two former Statutes, yet in force by* Edward *the Third; that a Parliament should be called every Year, or oftner if need were.* Very well! and there being no more in it, it is somewhat strange (methinks) how the King could be necessitated to the passing it, or that the Houses ever desired it: When all that he says to it, is, *That the King conceal'd not his unwillingness in testifying a general dislike of their Actions, and told them with a Masterly Brow, that by this Act he had obliged them above what they had deserved.* And truly if the King had said it, or given that *Masterly Brow* (for which yet he brings no Voucher but himself) those subsequent Acts of Parliament which repeal'd both these Acts have sufficiently evidenc'd their particular dislike of them also, in that they nulled them. And how well they were pleas'd with their Persons, or their Actions, the Statute of the 12th of *Charles* the Second (before-mention'd) may satisfie any Man.

Sir Ed. Coke. 4 *Inst.* 25.

And as to the other Act for ſettling their ſitting, *&c. The King* (ſaith he) *had by his ill Stewardſhip, and to ſay no worſe, the needleſs raiſing of two Armies intended for a Civil War, beggar'd both himſelf and the Publick: Left us in ſcore to his greedy Enemies* (their Brethren the *Scots:*) *to diſ-engage which, great Sums were to be borrow'd, which would never have been lent, if he who firſt cauſed the Malady, might when he pleas'd, reject the Remedy.* And from thence, and other the like droſs, meerly thrown in to help out Weight, which yet he never gives, he comes to this, That *it was his Fear, not his Favour drew that firſt Act from him, leſt the Parliament incens'd by his Conſpiracies againſt them, ſhould with the People have reſented too heinouſly thoſe his doings. if to the ſuſpicion of their danger from him, he had alſo added the denial of this only means to ſecure themſelves.* And now to examine it a little; he charges the King with the needleſs raiſing two Armies intended for a Civil War: What the Houſes then intended was afterwards viſible by its Effects, a Civil War: But that the King ſhould intend it, and at the ſame time diveſt himſelf of his Power, is manifeſtly ridiculous: For as he ſays himſelf, this Bill was paſs'd in 1641. *May*, whereas the King (beſides his Journey into *Scotland*) retired not from *Whitehall* till above half a Year afterwards; and when he left it (conſidering their reſpective Conditions) might have as truly ſaid, *Cum baculo tranſivi Jordanum iſtum:* And how then could he intend a Civil War? Having (as our **Accuſer** ſays) ſo beggar'd himſelf. —— For what concerns the King's Enemies and their dear Brethren, I refer it to its proper Place. —— And for what re-

lates to the Sums of Money to be borrow'd,
Chap 1. besides what I have already shewn how they were dispos'd of, I add this, That they could not have put the Kingdom into a Posture of a Defence; i. e. rais'd a Rebellion, without it. And withal considering that the King set not
1642. up his *Standard* till the *August* following, he must have been much shorter sighted than our Answerer all along endeavours to make him, to have design'd a War without Sir *Edward Coke*'s Materials, *Firmamentum belli, & Ornamentum pacis*, which (the Houses having taken his Revenue into their Hands) all the World knew he wanted.

But the Squib is not yet run to the end of the Rope: he says *the King taxes them for undoing what they found well done: Yet knows they undid nothing but Lord Bishops, Liturgy, Ceremonies,* &c. *judged worthy by all* Protestants *to be thrown out of the Church.* But what Protestants were they that so judg'd it? Those of the Church of *England* were (I am sure) of another Opinion, and the temporal Laws of the Kingdom had sufficiently establish'd them. And therefore since Interest had so blinded his Intellect that he would not see, were he now living, I could tell him wherein they had undone what they found well done: And because there are many yet in being, who (perhaps) may be willing enough to be satisfied in the matter, I shall not be shie in it.

It is, and ever was the Law of *England*, that the sole supream Government, Command, and Disposition of the *Militia*, and of all Forces by Sea and Land, and of all places of Strength, is, and ever were the undoubted Right of His Majesty,

Majesty, and of his Royal Predecessors, Kings and Queens of *England*: Or else what means that of *Fitz-Herbert*, It is the Right of the King to defend his Kingdom. To make Leagues and denounce War only belongs to the King, as a Right of Majesty which cannot be conferred upon any other. And how can he do it without the power of the Sword? (that is) the sole Command of the *Militia*? To levy War within the Realm without Authority from the King, unto whom it only belongeth, was High Treason at the Common-Law before the Statute *de proditionibus*. And a latter Statute, not introductive of a new Law, but declaratory of the old Law, has the very Words touching the sole Command of the *Militia*, &c. before-mention'd; with this farther, "That "both or either of the Houses of Parliament "cannot, nor ought to pretend to the same, "nor can, or lawfully may raise or levy War "offensive or defensive against his Majesty, his "Heirs and lawful Successors: And was confest by themselves when they acknowledg'd the *Militia* an inseparable Flower of the Crown, and subject to no command but his Authority.

Nat. Brev. p 113.

7 Coke 28.

Id. Coke. 3 *Inst.* 9.

25 Ed. 3.

13 Car. 2. c. 2.

Short View, &c. *Fol.* 86.

And yet contrary to this known Law, these two Houses not only Petition the King, That the Tower of *London*, &c. (as before) be forthwith put into such Hands as shall be recommended to him by both the Houses; but, upon his recess from *Whitehall*, send him a Peremptory Petition, That unless the King by those Commissioners then sent assure them of their former desires, they shall be enforced to dispose of the *Militia* by the Authority of both Houses; which, upon

Mar. 1. 1641. Rushw. Col. Fol. 92.

Sir Will. Dugdale's *Short View.* p. 85. on the King's refusal, they Vote a Denial, and dispose of it themselves.

And now they begin to unpin the Mask, and publish a Declaration, wherein they say, "That what the Houses declare for Law ought "not to be question'd by the King. — That the "Sovereign Power resides in both Houses. — "That the King ought to have no Negative "Voice. — That Treason cannot be com-"mitted against the King's Person otherwise "than as he is entrusted with the Kingdom, "and discharges that Trust; and that they have "a Power to judge whether he hath discharged 7 Coke 11. "that Trust or not. Fine dainty Law! And the *Spencers* Treason (in *Edward* the Second's time) but better improv'd.

Rushw. 307. V. *The Statutes at large.* In the *May* following they fall a-branching it into nineteen Propositions; many of which are but the substance of those Acts pass'd by *Edward* the Third, in the fifteenth of his Reign, and revoked by him the same Year as derogatory to his Crown; and send them to the King, which being refus'd by him, they Vote, The King intended a VVar upon them, and thereupon raise an Army; and (suffering 22 Jul. 42. the Mask to drop off) make *Essex* General thereof; and farther Vote, They will live and die with him. On which the King sets up his Standard at *Nottingham* the *August* following. Nor will I carry it further at present, because I design not a History, but only to shew which of the two, the King or the Houses intended a Civil VVar; and whether they did not undoe what they found well done. In short, their Endeavours were to strip the King of what God and the Law had given him; the King's

was

was but to keep what he ought to have: and therefore viewing both by a true light, How can the King be justly charg'd with intending a VVar, when it was (in a manner) but a suing for his own?

CHAP. VI.

Upon his Majesty's *retirement from* Westminster.

" WITH what unwillingness (saith His " Majesty) I withdrew *Westminster*, " let them judge, who unprovided of Tackling " and Victual, are forced to Sea by a Storm; " yet better do so than venture splitting or " sinking on a Lee-Shoar. And if the Parallel held not in all its Parts, our Answerer had done well to have shewn in which it fell short; whereas instead thereof he only says, *He was about to have found fault with the Simile, as a garb somewhat more Poetical than for a Statist, and finds it the strain of other of his Essays.* But what's this to the matter? farther than that in the Words *His Essays*, a Truth slipt from him unawares in confessing them to have been written by the King, and not by his Houshold *Rhetorician*, as before. But to the Argument (saith he) and I follow him, with this by the way to my Reader, That he would consider how the Houses had depriv'd the King of his Friends, disrobed him of his Power, trampled his Authority,

rity, affronted his Perſon, baited him with a Rabble, and left him nothing but what could not be taken from him, a good God, and the ſatisfaction of a Conſcience founded on a

Compoſitum jus, faſque animo, Sanctoſque receſſus
Mentis, & incoctum, generoſo pectus honeſto.

And then, tell me in what condition he was when he left *Weſtminſter*.

" I ſtay'd at *Whitehall* (ſaith His *Majeſty*) " till I was driven away by Shame more than " Fear, to ſee the barbarous rudeneſs of thoſe " Tumults, *&c.* a thing ſo true for matter of Fact, that being not able to deny it, our Anſwerer turns it thus, *That in the whole Chapter next but one before this, the King affirms, That the danger wherein his Wife, his Children, and his own Perſon were by thoſe Tumults, was the main cauſe that drove him*, &c. Whereas what the King (and that but in one place of that Chapter) ſays of it is this, " That he thought " himſelf not bound to proſtitute the Majeſty " of his Place and Perſon, and the ſafety of " his Wife and Children to thoſe who are " prone to inſult moſt when they have objects " and opportunity moſt capable of their rude- " neſs and petulancy. With this other from *Digby* (as he calls him) *who knew his Mind as well as any, That the principal cauſe of his Majeſty's going thence, was to ſave them from being trod in the Dirt.* And where in the name of Goodneſs lies the Contradiction! The Tumults were ſuch they might have been call'd *Legion*, and well make a King aſham'd to ſee them, and not be

be able to disperse them: But a direct Fear it could not be in him, whom

——*Ille timorum*
Maximus haud urget Lethi timor. ——

and who refused Life at the price of an inglorious Submission. And yet in the Case of a private Person, was not this ground enough to apprehend a danger; and the consequence of it, to be trod in the Dirt? How much more then in the Case of a King? A King of *England*, of whose Predecessors the Parliament of *England* had declar'd, "That they could not assent "to any thing that tended to the dis-inheriton "of the King and his Crown, whereunto they "were Sworn. But what could the wisest of Men say to it, when the Parliament and the Rabble were both of a side. And whether they were so or not, witness those Tumultuary Routs from the Men of *Essex*, *Colchester*, *Devon*, *Somerset*, *Middlesex*, *Hartford*, *London*, Apprentices, Seamen; nay the very Women and all, for putting the Kingdom into a Posture, *&c*: On which follow'd those several *Associations* for suppressing the Popish Malignant Party, though in truth it was to pursue the King with all vehemence; for such are the Words of *Essex*'s Letter to the Houses near that time. Nor were the Black Cloaks less wanting to their Parts; they could blow the Bellows well enough, tho' they car'd not how little they wrought at the Forge.

Sir Ed. Coke. 4 *Inst.* 14.

Sir W. Dugdale's *Short View*. *Fol.* 85.

Id. Dugd. 115.

And therefore, seeing the Reverence of his Government was lost with the People, and the Great Ones moving at another rate, *quam ut Imperantium*

Tacitus. *Imperantium meminissent.* As it was no less than time for His Majesty to retire and pray for fair Weather, so our Answerer, instead of snarling and catching at his Words, might have suffer'd him to depart in Peace. But to go on with him.

" I am (saith the King) not further bound " to agree with the Votes of both Houses, " than I see them agree with the Will of God, " my Rights as a King, and the general good " of my People.——And better for me to die, " enjoying this Empire of my Soul, which " subjects me only to God, than live with the " Title of a King if it carry such a Vassallage " with it, as not to suffer me to use my Reason " and Conscience, in which I declare as a King " to like or dislike. *An use of Reason*(saith our Answerer.) *If he thereby means his Negative Voice, most reasonless and unconscionable, and the utmost that any Tyrant ever pretended over his Vassals. For if the King be only set up to execute the Law, which is indeed the highest of his Office, he can no more reject a Law offer'd him by the Commons than he can new-make a Law which they reject.* And yet as reasonless and unconscionable as he pretends to make it, this Negative Voice is, and ever has been the undoubted Right of the Kings of *England.* For (besides what I had the occasion to speak to this matter before) it is no Statute if the King assent not to it: Because if it were, all those Bills that have passed both Houses, and for want of the Royal Assent lie buried in Oblivion, might as occasion serv'd be trump'd up for Laws: And if he may dis-assent, it is a sufficient Proof of this Negative Voice, and that he may refuse or ratifie as he

sees

ſees cauſe; And withal ſhews, where this Legiſlation lies, though the uſe of it be reſtrained to the conſent of both Houſes, whoſe *Rogation* (which is excluſive of all co-ordinate Power) preceeds the Kings *Ratification*. Then for his *if the King be only ſet up*, &c. If this (*if*) be falſe, his whole matter falls with it: And that it is ſo, I thus prove it. The Parliament-Roll (1 *Edw.* I. *n.* 8.) ſays, "That upon the de-
"ceaſe of King *Richard* the Second, the Crown 9 Edw. 4. Fol. 5. 6.
"by Law, Cuſtom and Conſcience deſcended
"and belonged to *Edmund* Earl of *March*, un-
"der whom King *Edward* the Fourth claimed. And *Henry* the Fourth, who had uſurp'd upon King *Richard* the Second, makes no other Title, but as Inheritor to King *Henry* the Third. So Sir J. Hayward's Life of K. H. 4. the Parliament of the firſt of King *James* the Firſt, "Recognize as (ſay they) we are
"bound by the Law of God and Man, the
"Realm of *England*, and the *Imperial Crown*
"thereof doth belong to him by Inherent
"Birthright, and lawful and undoubted Suc-
"ceſſion. The ſame alſo for Queen *Elizabeth*, 1 Eliz. c. 1. as to her. Which ſhews, that Kings are neither ſet up by the People, nor have the Titles to their Crowns from the two Houſes, but by Inherent Birthright. Which needs no ſetting up: And ſo (I think) what depends upon this (*if*) ſinks with it, though I ſhall have a further occaſion to ſpeak to it in his next Paragraph.

And here he taxes the King for ſaying, "He thinks not the Majeſty of the Crown of
"*England* to be bound by any Coronation
"Oath, in a blind and brutiſh formality to
"conſent to whatever its Subjects in Parlia-
"ment ſhall require. But where does the

Law

Law of *England* say the King is so bound? Tho' yet our Answerer is pleas'd to say, *What Tyrant could presume to say more, when he meant to kick down all Law, Government, and Bond of Oath?* Least considering what his Majesty subjoyns, *viz.* " I think my Oath fully discharg'd in " that Point by my Governing only by such " Laws as my People, with the House of Peers " have chosen, and my self consented to. Nor did the Coronation Promise, or Oath oblige him to more than **To hold and keep the Laws and rightful Customs which the Commonalty of this His Kingdom have: and to defend and uphold them to the Honour of God, so much as in him lay.** Whereas had there been any Obligation upon him to have consented to whatever the Parliament shall require, it is not to be doubted but it would have been expressed in the Oath, as it is not: And yet our Answerer less doubts to say, That *that Negative Voice to deny the passing of any Law which the Commons chuse is both against the Oath of his Coronation, and his Kingly Office, in that he makes himself Superiour to his whole Kingdom, which our standing Laws gainsay, as hath been cited to him in Remonstrances, That the King hath two Superiors, the Law, and his Court of Parliament.* An excellent Proof in the mean time! But we'll examine it a little.

See the Oath in every Hist. of his Reign.

Sir E. Coke 1 Inst. 1.

Lib. 2. F. 55 2 Inst. 496.

The Common-Law saith (*Omnis sub Rege*, &c.) Every Man is under the King, and he under none but God. And to the same purpose *Bracton*, from whom he quotes it. —— His Prerogative is a part of the Law of the Land. —— All offences are said to be against the

the Peace of our Sovereign Lord the King, &c.—— The Laws of *England* are call'd the King's Laws.—— The Parliament (as is confeſs'd to my hand) his Parliament. And therein alſo the King is ſole Judge, the reſt but Adviſers.—— His is the power of Calling, Proroguing and Diſſolving them.—— And by his Death they are diſſolv'd of courſe.— And why all this, but that the King is (*Principium, Caput*, &c.) The beginning, the head, and end of a Parliament. —— As he is alſo the Head of the Commonwealth. —— And of the Law, which he is preſum'd to carry *in Scrinio pectoris ſui*.

22 Ed III. 3. 4 *Inſt.* 46. *Id. Inſt.* 3. 1 *Inſt.* 73. *Id. Inſt.* 99.

And then for the Statute-Law (beſides thoſe Statutes that call the Kingdom the *Kings* Ligeance, the King *Liege Lord*, the People his *Leige Men*) it is further declared, "That the "Crown of *England* hath been ever ſo free "that it is in no Earthly Subjection, but ſub- "ject to God in all things touching the Re- "gality of the ſame Crown, and to none o- "ther.

27 Ed. 3. c. 1. 10, 11 R. 2. c. 1. 25 H. 8. c. 3. 16 R. 2. c. 5.

So that of *Henry* the Eighth, which ſays, "That by ſundry old Authentick Hiſtories and "Chronicles it is manifeſtly declar'd and ex- "preſſed that this Realm of *England* is an *Em- "pire* govern'd by one Supream Head and King, "unto whom both Spiritualty and Temporal- "ty are bound, and owen to bear next to "God, a natural and humble Obedience.

24 H. 8. c. 12.

And in another of the ſame King, the Crown of *England* is called, "An *Imperial* Crown re- "cognizing no Superiour under God, but only "your Grace, *i. e.* the King. Which Statutes being declaratory Statutes (as others of that kind) made in affirmance of the Common-Law, are

25 H. 8. c. 21.

2 *Inst.* 308. are a guide *in præteritis*, as ſaith Sir *Edw. Coke*; and ſhew us what the Law was before the making of thoſe Statutes. Which I the rather urge, becauſe our Anſwerer makes ſuch a ſputter about the old Law, though as well here as generally throughout his Book, he has an odd way with him of keeping it to himſelf: However, if this be to have a Superiour, be the Superiour he that will, and keep it without Envy: And for what concerns me, I hope I have prov'd, that the King of *England* has no Superiour but God, and that neither the Law nor his Coronation-Oath require his undeniable Aſſent to what Laws the Parliament agree upon; but that he may well refuſe them without the Imputation of *Incomparable Arrogance*, and *Unſufferable Tyranny*, as he is pleas'd to term it. One thing I had forgot: Suppoſe the King had never been crown'd, by which means he could not have taken the Coronation Oath, was he the leſs King for that? I ſhould think not:

3 *Inſt.* 7. And if I am miſtaken, Sir *Edw. Coke* was miſtaken before me when he ſays, "The King is

So 7 Coke. Calvin's *Caſe*. "King before Coronation; and Coronation is but an Ornament or Solemnity of Honour. Which in other Words may amount to this, That he promiſes no more at that time than what he was morally pre-oblig'd to do; *viz.* To diſcharge that Duty honourably which the Laws of God and Nature had requir'd of him without that Royal Promiſe.

CHAP.

CHAP. VII.

Upon the Queen's *Departure and Abſence out of* England.

AND truly this Chapter being but a kind of Re-capitulation of the mutual Endearments between the King and his Queen, "whoſe *Sympathy* with his Afflictions had aſ-"ſur'd him, and might the World, that ſhe "lov'd him and not his Fortunes, might, one would think, if not for the King's, have for her own ſake eſcap'd his Venom; but (poor Lady) ſhe was the King's Wife, and Malice (like Fear) where it finds no real Object, will be ſure to create one. And truly it was once in my Thoughts to have ſpoken more at large to it; and had done it, but that I fear'd even Truth it ſelf might incurr the ſuſpicion of Flattery. What my end was in making this Reply I have already ſhewn; it was to vindicate that good King from this ill Man's Calumnies; and the Method I have taken in it has been from the Hiſtory of that time and the Prior Law of the Land, as it came in my way, and therefore not to break that Method, as I find him hereafter running wide of that Matter, I ſhall purpoſely leave him, as I do at preſent.

CHAP. VIII.

Upon His Majesty's *repulse at* Hull, *and the Fates of the* Hothams.

" THIS my repulse at *Hull* (saith the " King) was the first *overt Essay* to be " made, how patiently I could bear the loss " of my Kingdoms. —— The hand of that " Cloud which was soon after to over-spread " the whole Kingdom, and cast all into dis- " order and darkness. Which, how Prophe- tically true it was, the miserable effects of it both before and since the Restauration, have too visibly spoken it. And yet our Answerer thus slubbers it over. That *Hull, a Town of great Strength and Opportunity both to Sea and Land Affairs, was at that time the Magazine of all those Arms which the King had bought a- gainst the* Scots. —— *The King had left the Par- liament, and was gone Northward.* —— *The Queen into* Holland, *where she pawn'd and set to Sale the Crown Jewels (a Crime heretofore counted Treasonable in Kings) and to what purpose the Par- liament was not ignorant, and timely sent Sir* John Hotham, *Knight of that County, to take* Hull *into his Custody, and some of the* Train'd-bands *to his Assistance; and seeing the King's Drift in rai- sing a Guard for his Person, send him a Petition that they might have leave to remove the Magazine of* Hull *to the Tower of* London, *which the King denies, and soon after goes to* Hull *with Four Hun-*

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dred Horſe, and requires the Governour to deliver him up the Town; whereof the Governour prays to be excuſed till he could ſend notice to the Parliament who had entruſted him; and the King being incens'd at it, Proclaims him a Traytor before the Town Walls, and demands Juſtice of them, as upon a Traytor; who declare that Sir John Hotham *had done no more than his Duty, and therefore was no Traytor.* And this is the Subſtance of his 57. 58. 59 Pages.

How (and by their own Authority which was none) the Houſes had rais'd an Army and made *Eſſex* General, I have already ſhewn; and though the King had not yet ſet up his *Standard*, he knew he had a Magazine at *Hull* which might either help to defend himſelf, or certainly annoy him if it fell into his Enemies Hands; and therefore in order to a Self-Preſervation, takes a Journey to *York*, where the Parliament had been before him with a Committee then lying there as Spies upon his Actions: However, upon Petition of that County, to have the Magazine of *Hull* to remain there for the greater Security of the Northern Parts, His Majeſty thought fit to take it into his own Hands, and appointed the Earl (afterwards Duke) of *Newcaſtle* to be Governour of *Hull*; but the Townſmen had been ſo influenc'd by that Committee that they refuſed the Earl.

The Queen alſo had borrow'd ſome Moneys of the *Hollanders* upon the Crown Jewels (*a Crime heretofore counted treaſonable in Kings*, but not a word of when, or by what Law) not in the leaſt conſidering the Crown it ſelf was the King's, or how the King of *England* could commit Treaſon againſt himſelf.

The Houſes during this time wanting no Intelligence from their Committee, nick the Opportunity, and ſend down Sir *John Hotham*, who was receiv'd as Governour, and upon the King's coming before *Hull*, attended only with his own Servants, and ſome Gentlemen of the Country, audaciouſly ſhut the Gates againſt Him, and ſtanding upon the Wall, denied him Entrance. Upon which, the King (as by Law he might) proclaim'd him Traytor. *A Cholerick and revengeful Act* (ſays our Anſwerer) *to proclaim him Traytor before due proceſs of Law; having been convinc'd ſo lately before of his Illegality with the five Members.* Goodly, goodly! and yet at the ſame time doubts not to tax the King of a Treaſonable Act, in borrowing Moneys upon his own Jewels: Not unlike the Parliament 41 *Hen.* 3. who took notice of the Lye given to *Montfort*, Earl of *Leiceſter* by *William* of *Clarence*, but not of the Lye given the King by the ſaid *Leiceſter*. But the Point between us lies narrow. A Man with Train'd-Bands holds and defends a place of Strength againſt the King: The queſtion is, whether this be a levying of War within the Statute of the 25th of *Edward* the 3d. Sir *Edward Coke* ſhall anſwer for me. "If "any with Strength and Weapons invaſive and "defenſive, doth hold and defend a Caſtle or "Fort againſt the King and his Power, this "is levying of War againſt the King within "the Statute of 25 *Edward* 3. And in the leaf before he ſays, "It was High Treaſon by the "Common Law to levy War; for no Subject "can levy War within the Realm without Au"thority from the King, for to him only it be"longeth

Daniel's *Hiſt. of* Eng. 171. *and* 175.

2 *Inſt.* 10.

longeth. *Le Roy de droit doit ſaver & defender ſon Realm*, &c. And therefore this being the Caſe, wherein may it be ſaid that the King was to blame? Fitz. N. B. 113. a.

And laſtly, for what concerns this Gentleman's *Cataſtrophe*, and *whether* Hotham *were more infamous at* Hull, *or at* Tower-Hill (no leſs ignominiouſly pretended to be anſwer'd) it may be enough to ſatisfie any Impartial Man that he repented and came in, though it were at the laſt Hour; and for the reſt, he ſtood and fell to his own Maſter.

CHAP. IX.

Upon the Liſting, and raiſing Armies againſt the King.

"I Find (ſaith His Majeſty) I am at the ſame "Point and Poſture I was when they forced "me to leave *Whitehall*: What Tumults could "not do, an Army muſt; which is but Tumults "liſted and enroll'd to a better order, but as "bad an end. To which our Anſwerer thus replies, *It were an endleſs work to walk ſide by ſide with the verboſity of this Chapter; only to what already hath not been ſpoken, convenient Anſwer ſhall be given.* But what that Anſwer is ſee! *He begins again with Tumults; all the demonſtration of the Peoples Love to the Parliament was Tumult; their Petitioning Tumult; their defenſive Armies were but liſted Tumults; and will take no notice that thoſe*

about him, those in a time of Peace listed in his own House, were the beginners of all these Tumults; abusing and assaulting not only such as came peaceably to the Parliament at London, *but those that came Petitioning to the King himself at* York. *Neither abstaining from doing Violence and Outrage to the Messengers sent from Parliament; himself countenancing, or conniving at them.* Which is the Substance of what our *Accuser* says to this *verbose* Chapter, as he calls it: An old Figure in *Politicks*, to Calumniate stoutly, till somewhat stick to a Prejudice.

But where lay this *Love of the* People, that they must needs express it in such a Tumultuary way? God Almighty is more pleased with *Adverbs* than *Nouns*, and respects not so much the Justice or Lawfullness of the thing, as that it be Justly and Lawfully done: and I think the Case was not such here. Three or more gather'd together do breed a disturbance of the Peace, either by signification of Speech, shew of Armour, turbulent Gesture, or express Violence, so that the peaceable sort of Men be disturbed, or the lighter sort emboldened by the Example, It is (*Turba*) a Rout: And it has been said (*Decem, multitudinem faciunt*) Ten, make a Multitude: What then must ten times ten (not to say Hundreds and Thousands) arm'd with Swords, Clubbs, Staves, as many of these *Demonstrators of their Love* were, and throwing out Seditious Language, as I have shewn before, they did?

Mr. Lambert's Eirenarcha, *Lib.* 2. *c.* 5.

So Kitchen. *page* 20.

Chap. 4.

O but their Business was *Petition*! The same said the Barons and Commonalty at *Running-Mead* in the 17th of King *John*. But what came these for? What, but Matters that no way concern'd

cern'd them. Juſtice! Juſtice againſt the Earl of *Strafford*; yet the Parliament of the 14th of *Char.* the 2d, calls them arm'd Tumults, as before, —— For putting the Tower of *London* into confiding Hands. —— A City Guard for the Parliament. —— And the Kingdom into a Poſture of Defence, *&c.* But ſtill, what was this to them? As if a Parliament muſt be beholding to a Feſcue! *Chap.* 2. *Chap.* 4, *and* 6.

" And their defenſive Armies (ſaith he) were but liſted Tumults! So that now (as a laſt Shift) he turns the Queſtion to a

——— *Quis prior induit arma?*

When all the World knows, That the Defenſive part of it was the King's, and the Parliament were the *Aggreſſor*'s; in that they had made their *Aſſociations*, rais'd an Army ſome Months before, and made *Eſſex* General thereof the 12th of *July* 1642. Whereas the King ſet not up his *Standard* until the *Auguſt* following. But ſtay, —— ſay the King (in defence of his Right) had firſt drawn his Sword, what Law of *England* warranted theirs? When beſides what Sir *Edward Coke* (of whom ſo lately) ſays, " No Subject can levy War without " Authority from the King, it appears that the ancient Law of *England* was ever ſuch, or the Parliament had never declar'd, That both, or either of the Houſes of Parliament neither can, or lawfully may raiſe or levy War offenſive or defenſive againſt the King, *&c.* 1 Cat. 2. 6. 2.

And *will take no notice that thoſe about him were the beginners of thoſe Tumults.* That the King had his Guards about him was no more than

what became the Majesty of a King; and that the Loyal Gentry made their Appearances at *Whitehall* when they saw it befet with a kind of *Gebal* and *Ammon*, and *Amaleck*, a confus'd conflux of People, which also the King had forbidden, was but the least of their Duty: But when he talks of listing, and abusing, and assaulting such as came peaceably to the Parliament, and doing Violence to the Messengers sent from them, it is such a *Rapsodie* of Stuff that no Man can credit upon his single Authority. And therefore I leave it as I do the rest of this Matter, it being either such as I have before spoken to, or such as no Man that had not a hand in those Mischiefs, had ever vented.

Yet before I go off to another, I cannot but take notice how he says, *The King twits them with his Acts of Grace; Proud and unself-knowing Words in the Mouth of any King who affects not to be a God*, &c. *Whereas it was not of his Grace but of his Duty, and his Oath to grant them.* But being neither of the King's Duty nor his Oath, as I have already shewn, it remains that they were Acts of Grace; for he might have chosen whether he would have granted them or not. And yet his Majesty does not (as he maliciously says it) twit them, but in a kind of *Soliloquy* to his Soul, "Is this (saith he) the reward and "thanks that I am to receive for those many "Acts of Grace I have lately passed, and for "those many Indignities I have endur'd? Is there "no way left to make me a glorious King but "by my Sufferings? It was the common Protestation of all their Addresses, but how well they perform'd it the World is not to learn: While

Chap. 6.

While they were yet in purſuit, it was matter of Grace, but once obtain'd, it turn'd to a loathing. Or taking it in a middle Senſe, not that he twitted, but minded them of what he had done (a modeſt way of refreſhing their Memories) and wherein can it juſtly be blam'd? Eſpecially conſidering all he had done, was but a kind of Limming the Water, to them, who like *Tiberius*, when one that had been formerly Serviceable to him thus addreſſed him: You may remember *Cæſar*; *No ſays* Cæſar (cutting him ſhort) *I do not remember what I was.* Nor muſt there ever better be expected from Ingratitude, which (like a vitiated Stomach) turns the beſt Nouriſhment into the Diſeaſe.

CHAP. X.

Upon their ſeizing the King's *Magazines, Forts, Navy, and Militia.*

"HOW untruly (ſaith his Majeſty) I am "charg'd with the firſt raiſing an Army, "and the beginning this Civil War, the Eyes "that only pity me, and the loyal Hearts that "durſt only pray for me at firſt may Wit-"neſs. —— My unpreparedneſs for a War "may well diſhearten thoſe that would help "me; while it argues (truly) my unwillingneſs "to fight, yet it teſtifies for me that I am ſet "on the defenſive Part; having ſo little hopes "or Power to defend others, that I have none

"to

" to defend my self, or preserve what is my
" own from their prereption. To which our
Answerer after his wonted way, *To put the matter soonest out of Controversy, who was the first beginner of this Civil War, may be discern'd not only by the first Act of Hostility, but by the Counsels and Preparations foregoing, in all which the King was the foremost.* But what he means by that *first Act of Hostility*, unless it were the beating off that Club-rabble from before *Whitehall*, I cannot conjecture; and if that be all, I have spoken to it before, and shewn that the King did no more than what any Private Man might have justified the doing of. And for *the Counsels*, &c. he instances in *the design of* German *Horse*, *Billetting of Soldiers*, &c. when yet he knew himself it was to no other end but the carrying on the War for the recovery of the *Palatinate*, wherein the Parliament had engag'd the King his Father. — *The Pulpits sounded no other Doctrine than that which gave all Property to the King, and Passive Obedience to the Subject.* And truly if they did the former they were to blame; though till I have better Authority that they did so, I shall not believe it: And for the latter, however the *London* and *Westminster* Pulpits thumb'd no Text oftner than that of *Curse ye Meroz*, &c. and nuzzled the People into a resisting the King, they never applied the Doctrine of *Non-Resistance* to the two Houses. —— And for *Exactions* and *Disarmings*: The redress of the former was no sooner pray'd than granted; and for the latter, it seems strange he should tax the King with that which was the constant *Modus* of that Parliament: Not unlike the Woman that beat her Husband and cry'd Murther!

Chap. 4.

Murther! to raiſe the Neighbours. And for ſo much concludes, *That the King was the firſt beginner of theſe Civil Wars, as in the Treaty of the* Iſle *of* Wight *he charg'd it upon himſelf, and acquitted the Parliament.* A bold Aſſertion! and ſo contrary to all the King's Declarations, and every Man's Knowledge, that it is not to be believ'd. It was hard preſs'd on him (*'tis true*) but that he did it appears no where. Yet if he did ſo, what kind of Men were thoſe Commons that threw by their King's Conceſſions, and made thoſe deſperate Votes of *Non-Addreſſes*, and that it ſhould be Treaſon to receive any Paper or Meſſage from him. Nor wanted they Malice to have urg'd ſuch a Confeſſion (if any) againſt himſelf, when they Voted, "That the King took "Arms againſt the Parliament, and ought to "expiate it with his own Blood. So eaſie a thing it was to Murther him with his own Sword, having as our Anſwerer confeſſes, wrung the *Militia* out of his Hands. 4 Jan. 48. Milton. p. 85.

CHAP.

CHAP. XI.

Upon the Nineteen Propoſitions, firſt ſent to the King ; *and more afterwards.*

OF *the Nineteen Propoſitions*, ſaith our Anſwerer, *he names none in particular, neither ſhall the Anſwer; but he inſiſts upon the old Plea of his Conſcience, Honour and Reaſon*; and either of them, to all honeſt Men, a peremptory Plea. This of the King's was a diſcourſe to himſelf, and therefore to what End ſhould he ſay more of them than what he does; *viz.* " If nothing elſe will ſatisfie, I muſt chuſe " rather to be as Miſerable and Inglorious as " my Enemies can make, or wiſh me. Whereas our Anſwerer, that knew them ſo well, ought firſt to have told us what they were, and then ſhewn the Unreaſonableneſs of the King's Refuſal: But, that he knew had been to Undeceive the People, and therefore ſlubber'd them under the General Name of the *Nineteen Propoſitions*; a Word of many Syllables Men have in their Mouths, but how few of them are there that know what it means? What therefore, he ſo maliciouſly ſuppreſs'd, I have with all Faithfulneſs ſumm'd, and made ſuch Remarks on them as followeth:

1. *That the Lords*, &c. *of the Privy-Council, and all Great Officers of State be removed*; *ſave* only

only such as shall be approv'd by Both Houses; and none put in their Places, but by like Approbation.

The Power hereby claimed, was either Originally in the People, or it was not: If it was, they ought to have shown it; if it was not, the Demand was Unjust, and consequently not to have been demanded.

2. *That the Great Affairs of the Kingdom, be Transacted only in Parliament; and Privy-Council Matters, by such as shall be chosen by the Parliament: And that no publick Act of Council be esteemed valid as proceeding from the Royal Authority, unless it be sign'd by the major Part of the Council, nor vacant Place therein supply'd, without the Assent of the Major Part; and that also to be void, if not confirmed by the next Parliament.*

This was to set the Cipher before the Figure, and make the King a kind of *Jupiter* in *Lucian*; a Thing of a Swelling Name, but bound up to *Fate.*

3. *That the Lord High-Steward of* England, *Lord High-Constable, Lord Chancellor, Nine other Principal Officers, the Two Chief Justices, and Chief Baron, be always chosen with the Approbation of Both Houses; and in the Intervals of Parliament, by the Major Part of the Council.*

The same may be said to this, as to the First; with this farther, that though the like had been often attempted, it never continued longer than the Rebellion that set it on foot.

4. *That the Government of the King's Children be committed to such as Both Houses shall approve of; and in the Intervals of Parliament, by the Privy Council: And the Servants then about them,*

against

against whom the Houſes have juſt Exception, to be removed.

This had been to abridge the King of that Privilege, which the meaneſt of Subjects has in his Family; nor had themſelves yet try'd it in theirs.

5 *That no Marriage for any of them be treated, or concluded without Conſent of Parliament.*

The ſame alſo here, as to the Fourth.

6. *That the Laws in Force againſt Jeſuits, Prieſts, and Popiſh Recuſants, be ſtrictly put in Execution.*

And where had the King ever refuſed it?

7. *That the Votes of Popiſh Lords in the Houſe of Peers, be taken away.*

This had been to take away their Birthright; a Right as ancient as any thing but the Monarchy it ſelf.

8. *That the King will be pleaſed to reform the Church-Government, and Liturgy, as both Houſes ſhall adviſe.*

This had been already ſettled by ſeveral Acts of Parliament.

9. *That he would reſt ſatisfied with what they have done, for ordering the* Militia; *and recall his Declarations and Proclamations againſt it.*

This confeſſes an Uſurpation upon the King's Right, and in that, who began the War: For, if it were not ſo, what need was there for the King to recall his Declarations, *&c.* when in doing it, he had made himſelf Guilty of the War, and all the Blood therein ſpill'd.

10. *That ſuch Members as have been put out of any Place or Office, ſince this Parliament began, be reſtored, or have Satisfaction.*

But how does this agree with the *Self-denying Ordinance.* 11. *That*

11. *That all Privy Counſellors and Judges take an Oath, to be ſettled by Act of Parliament, for the Maintenance of the Petition of Right, and certain Statutes made by them.*

The Judges are *ex Officio* oblig'd to take notice of a General Act of Parliament, and ſuch the *Petition of Right* is; but who knew what thoſe Acts of this Parliament might be?

12. *That all Judges and Officers plac'd by Approbation of the Houſes, may hold their Places* quamdiu ſe bene geſſerint.

To the intent, that if any Confiding Perſon how Ignorant or Factious ſoever had been approv'd by them, it ſhould not be in the King's Power to remove him without a Sute at Law, in which themſelves, or their Creatures were ſure to be Judges.

13. *That all Delinquents, whether within the Kingdom, or fled out of it; and all Perſons cited by either Houſe, may appear and abide the Cenſure of Parliament.*

That is, all ſuch Perſons as upon an innate Honour, according to their Duty, and the Statute of the 11th. of *Henry* VII. had ſtood firm and Loyal to the King, againſt their Uſurpation.

14. *That the General Pardon offered by his Majeſty, be granted with ſuch Exceptions, as ſhall be adviſed by Both Houſes.*

But, who knew what thoſe Exceptions might be? Saving this, that they intended them not to any of themſelves: A thing that carried Rancour and Venom in it, and which was his Majeſty's whole driſt to take off.

15. *That all Forts and Caſtles be put into ſuch Hands, as the King with Approbation of Both Houſes, ſhall appoint.*

That

That is, to keep them in their own Hands as they were; when yet, the Undoubted Right was the King's, and the Grant of it had given away the Sovereignty. An old Trick (which together with the Three first Propositions) they borrow'd from *Montfort*'s Rebellion in *Henry* III.'s Time.

16. *That the King's Extraordinary Guards be discharg'd, and none rais'd for the Future, but according to Law, in Case of actual Rebellion and Invasion.*

Like the Wolves in the Fable, that would come to no Terms with the Sheep, unless they first discharg'd their Dogs: Whereas his Majesty had not rais'd those Guards but according to Law, in the Case of an actual Rebellion at Home, and a then threatning Invasion from the *Scots*.

17. *That his Majesty enter into a more strict Alliance with the United Provinces, and other Neighbour Protestant Princes and States.*

The King is the only Supream Arbiter of Peace and War; and, what honourable Alliance with any of them had he ever refus'd?

18. *That his Majesty be pleased by Act of Parliament, to clear the Lord* Kimbolton, *and the Five Members.*

If they were Guilty, why should they be less brought to Tryal than were *Canterbury* and *Strafford?* And, if they were Innocent, what need of an Act of Parliament to clear them?

19. *That a Bill be passed for restraining Peers made hereafter, from sitting or voting in Parliament, unless they be admitted with Consent of Both Houses.*

The

The King is the Fountain of Honour, and to have granted this Article had been, if not to damm up that Fountain, to turn it into another Channel: Nor could the King have done it, without a manifeſt Contradiction to himſelf. *I have bleſſed him* (ſaid *Iſaac*) *and he ſhall be bleſſed.*

Such were theſe Propoſitions; this, at Leaſt, the true Subſtance of them; which if his Majeſty had conceded to, what other were it, than as himſelf ſays of it, "As if *Sampſon* "ſhould have conſented, not only to bind his "own Hands, and cut off his Hair, but to put "out his own Eyes, that the *Philiſtines* might, "with the more Safety, Mock and Abuſe him? He had rendred himſelf not a half Duke of *Venice*; nor much better than that —— *Inutile lignum*, of which *Horace* ſpeaks; who, tho' he were God of the Gardens, could not keep a Crow from muting upon his Head. Serm. l. 1. Sat. 8.

"Nor ought they (ſays his Majeſty) to "have been obtruded upon him with the Point "of a Sword, nor urg'd with the Injuries of a "War. To which our Anſwerer in his bold Way: *And which of the Propoſitions were obtruded upon him with the Point of the Sword, till he firſt with the Point of the Sword, thruſt from him both the Propoſitions and the Propounders?* Which, how egregiouſly and ſcandalouſly Falſe it is, let any Man judge; when theſe Propoſitions were not ſent the King till the Second of *June*, 1642. Five Months before which, they had not only forced him from *Whitehall*, but diſpoſed of the *Militia*, as appears by the Ninth Propoſition; where they pray the King, that he Ruſh. 2. part. 307.

would rest satisfied with what they ordered in it: As resolv'd (it seems) that Will or Nill, he should.

And thence he runs off again to the *Coronation Oath*; and, *That the Parliament is the King's Superiour.* Touching which, I have said so much already, and not from any single Opinion of my own, but the Authority of the Law, that I think it needless *actum agere.* Only, when he says, *The Noblest* Romans, *when they stood for that which was a kind of Regal Honour, the Consulship, were wont, in a submissive manner, to go about and beg that Highest Dignity of the Meanest* Plebeians; *which was call'd,* Petitio Consulatûs. He would have done well to have cover'd his Hook a little better, if he ever expected to catch any Fish: If he had said, they chuse their *Consuls* as we do our Knights of the Shire, he that has most Voices carries it (bating the *Ambitus*) it had been well enough. But when he speaks of a King of *England*, what Mischief brought it into his Head, to confound the Irregular Practices of a *Democratical* State, with the settled Constitutions of an Hereditary Imperial Monarchy, which this of *England* is, or those several Statutes (as well as Common Law) of which before, are grosly mistaken? And therefore for the rest, it being but mere catching at Words, whereby to wrest the Sence, I had as good leave it, and go to somewhat else.

Cap. 6.

CHAP

CHAP. XII.

Upon the Rebellion and Troubles in Ireland.

IT is the Nature of Flies to be ever buzzing, and blowing upon any thing that is raw; and has been the only deſign of our Anſwerer throughout his whole Book, not to deliver Things as they truly were, but to rake together old exploded Forgeries, that having dreſs'd up the King as like a Tyrant as he can, he may have the more to ſay in Defence of the *Parricide*.

It is the Way of Witches, to foretell thoſe Storms, themſelves intend to move: Nor had the Contrivers of ours been wanting to that Part of it; but the Earl of *Straffora*'s Watchful Eye lay ſo cloſe for them, that nothing could be done, unleſs they firſt brought his Maſts by the Board: And having gotten that Point of him, and the Rebellion of *Ireland* falling cloſe upon it, they only make an advantage of it, and buzze the People, that it was done with the King's Privity (at leaſt) if not by his Commiſſion: Whereby to repreſent him to the World, as the more Inhumane and Barbarous.

Nor is this our **Accuſer** leſs wanting to inſinuate it over again, when he ſays, *That it cannot be imaginable, that the* Iriſh *guided by ſo many* Italian *Heads, ſhould have ſo far loſt the Uſe of*

Reaſon and common Senſe, as not ſupported with other Strength than their own, to begin a War ſo deſperate and irreconcilable, againſt both England *and* Scotland *at once, without ſome Authority from* England, *or great Aſſiſtance promiſed them, and aſſurance which they had in private, that no remedy ſhould be apply'd againſt them.* All which being merely conjectural, by the ſame Reaſon it may be true, by the ſame Reaſon alſo it may be falſe; without there were ſomewhat more than Words to evince the Truth of it. And ſo taking that for granted, which ſhould have been firſt proved, he audaciouſly Charges *the King as the Prime Author of that Rebellion, though both here and elſewhere he denies it with many Imprecations, but no ſolid Evidence.* And how ſolid his on the other hand are, may be worth the viewing.

It is moſt certain (ſaith he) *that the King was ever friendly to the* Iriſh *Papiſts, and in his Third Year againſt the plain Advice of Parliament, ſold them Indulgences for Money, and engaged them in a War againſt the* Scotch *Proteſtants.* What he means by that Sale of Indulgences, I know not; nor does any Hiſtory of ours that I yet met, direct me to it. The *Iriſh* were his Majeſty's Subjects, as well as the *Scots*; and if he was friendly to them, though *Papiſts*, he did but the part of a prudent Father, who ſeldom chucks one Child more than another, for fear of breeding a Quarrel in the Family. And beſides, though the *Scots* were *Proteſtants*, there is not any one *Engliſh* Law againſt *Papiſts*, in Force in *Ireland*, and Sanguinary Law, none: But that the King engaged them in a War againſt the *Scots*, wants Proof, and as ſuch I paſs it.

To

To this he adds, That *several of the most active Papists, all since in the Head of that Rebellion, were in great Favour at* Whitehall, *and in Private Consultations with the King and Queen; and that he gave them more than Five* Irish *Counties at an inconsiderable Rent.* And for the Proof of all this quotes a *Scotch* Author, but says not a Word, who or what this Author was: Tho' if he had call'd him *Squire Meldrum*, the *Cherry and the Sloe*, or *David Lindsey* against *Side-Tails*, it had past not a Jot the worse with the People. If they were in great Favour at Court, it was no more than what the *Scots* also were; if they had private Consultations, *&c.* Charity would have presum'd the best, and that it was in order to the Quiet and Peace of that Kingdom; and if the King gave them Five Counties, he gave but his own, which if he had shared among the Five Members, we had not (perhaps) heard a Word of the Story: But that they should ungratefully rebel against him, how could he more foresee it of them, than he did of the *Scots?* And after this *if any Understanding Man yet doubts who was the Author and Instigator of that Rebellion, I referr them* (saith he) *to that Declaration of* July 1643, *concerning this Matter.* Very good! The Word of a King is but *the bare denial of one Man*; and what is one Man, against the Credit of Both Houses, though they were Judges, Witnesses, and Parties.

" I offerred (saith his Majesty) to go my " self in Person, upon that Expedition. *But happy it was that his going into* Ireland *was not consented to* (saith the other;) *for certainly he had turn'd his intended Forces against the Parlia-*

ment. Whereas it seems more probable, that without this Rebellion in *Ireland*, they could never have rais'd their Rebellion in *England*. For, upon the Credit of the Acts for the borrowing of 400000 *l.* for the necessary Defence of *England* and *Ireland*; and for the Encouragement of *Adventurers*, for the reducing the Rebels in *Ireland*, they got ready Moneys into their Hands, and rais'd Forces (as was pretended) for the Relief of that Kingdom, but (in truth) fought the King with them at *Edgehill*. But enough of this Matter.

Both of them, 17 Car. 1.

V. His Majesty's Answer to their Irish Papers. In his Large Book f. 537.

CHAP. XIII.

Upon the Calling in of the Scots, *and their coming.*

AND here again our Answerer lays his Foundation to this Chapter upon what he has so often run off to before, and been by me (and I hope) fully answered: That *the first Original and Institution of Kings was by the Consent and Suffrage of the People*, and calls them *the entrusted Servants of the Commonwealth*; but (in his wonted way) says not a Word how they came by this Power of choosing; *i. e.* whether it were given them by God, or they took it themselves: If God gave it them, he ought (one would think) to have prov'd where, when and how; at least, rendred it probable that there was once some such thing done,

done, though the Grant be loſt: And if they took it themſelves, it was Unjuſt in its Original, and conſequently they had no more Right to chuſe their Kings, than Children have to chuſe their Fathers. And yet, from this falſe Poſition magiſterially determines, That *Kings do no Acts of Grace and Bounty, but in diſcharge of their publick Duty.*

The Sum of the King's Diſcourſe (ſaith he) *is againſt ſettling Religion by violent Means; and yet never did thing more eagerly, than to moleſt and perſecute the Conſciences of moſt religious Men, and made a War, and loſt all, rather than not uphold an* Hierarchy *of perſecuting Biſhops.* That Conſciences are not to be forced, but to be reduced by force of Truth, aid of Time, and uſe of good Means of Inſtructions and Perſwations, was his Principle as well as Queen *Elizabeth*'s: but (ſaith Sir *Francis Walſingham* concerning the Queen's proceedings in the like Caſes) "Cauſes of Conſcience, when they exceed their Bounds, and grow to be matter of Faction, loſe their Nature; and Sovereign Princes ought diſtinctly to puniſh their Practices and Contempt, though colour'd with the pretences of Conſcience and Religion. And according to this (*ſaith he*) the Queen proceeded. And if the King alſo did diſtinguiſh Faction from Conſcience, and Tenderneſs from Singularity, blame the Law, not him. V. *Hiſt. of the Reform.* Part 2. f. 418.

But, *He obtruded new Ceremonies upon the* Engliſh, *and a new Liturgy upon the* Scots *with his Sword.* Saving the Reverence of the Thing, it is Indifferent whether a Man Preach with his Hat on, or hung upon a Pin; the *Hugonots* have one way, and the *Engliſh* another: The

ſame alſo may be ſaid of Ceremonies; but how indifferent ſoever they are in themſelves, when they are once commanded, the indifferency ceaſes in the Law that enjoyns them. And for that other, of *the Liturgy upon the Scots:* the King obtruded it not on them, much leſs *with his Sword*, becauſe it was ſent them at their own Requeſt, as I have ſhown before. But, admitting their *Kirk* liked it not, what had they to do with a Church that did? Or, what Authority had *Tweed* to reform *Thames*; leaſt of all, to give Law to their King, and that too with beat of Drum and Colours diſplayed? Eſpecially when one of their own Acts of Parliament ſays, "That it ſhould be damnable "and deteſtable Treaſon in the higheſt De- "gree, to levy Arms, or any Military Forces, "upon any pretext whatever, without the "King's Royal Commiſſion. —— Nor is this all: For their *National Covenant* oblig'd them to his Defence; or elſe what means this Expreſſion in it? "That whenſoever his Ma- "jeſty's Honour and Intereſt ſhould be in Dan- "ger, they would as one Man (obliged by the "Laws of God and Man) apply themſelves to "his Succour and Defence.—— And the Chancellor, and others the Lords of that Kingdom had (by their Letter of 1. *July* 1643.) aſſured his Majeſty, That no Arms ſhould be raiſed, without his ſpecial Commiſſion. And after all this (and contrary to the Common tye of Nature) to run into open Rebellion againſt him! What may it mean? I'll tell ye.

Continuation of Sir R. Baker, f. 514.

Sir W. Dudg. *his ſhort View*, f. 132.

This Matter had been hatching ever ſince the Third of his Reign, and though the Chick appear'd not till the Year 1637, yet it could run about

about with the Shell upon its Head, and it wanted not Friends in *England* to keep it alive, till it could feed it ſelf, and if it liked not one Barn-door take to another. The Metaphor is too viſible to need Application. There was a kind of a *Kirk Party* in *England*, that finding the King firm to his Principles, knew there was no better way to deal with him than by reducing him to Neceſſities, to the end that being forc'd to extraordinary means for Supply, he might diſguſt the People, and conſequently attract an *Odium*. But what's a Bow without a Bowman? The *Scots* and they made but one *Kirk*, Money was the Nerve that would keep them together, and what need many words among Friends. Nor were they long without the occaſion of ſhewing their Fidelity: The new Liturgy (as before) had been ſent to *Edinburgh*. The *Scots* preſently take the *Alarm*; are quieted again, but loſt nothing by it, and in return make the King all Proteſtations of future Loyalty.

How comes it then you'll ſay, that it was not long after that they invaded *England*, and after that took Arms for the Parliament againſt the King? The Caſe is plain; the King had no Money; the Houſes had, or at leaſt knew where to get it: Nor will it be unworth any Man's while to ſee what that was.

They had, as a Relief to the *Scots* for their Loſſes, and a ſupply of our Brethren of *Scotland* (for ſo the Act words it) 220000 *l.* rais'd for them by Act of Parliament. 17 Car. 1.

By an Ordinance of Lords and Commons, 27 *Octob.* 43. — 66666 — 13 — 4. for their Brotherly Aſſiſtance in the defence of the common cauſe of Religion and Liberty. Vid. Hughes's *Abridgement of Acts and Ordinances*, p. 92.

By

Id. p. 178. By a like Ordinance *Feb.* 20. 1644.—21000 *l. per Menſ.* for the maintenance of the *Scots* Army under the Earl of *Leven.*

Id. p. 197. Further confirm'd. *June* 13. 1645.

Id. p. 220. Continued for four Months more. 25 *Aug.* 1645.

Id. p. 201. By a like Ordinance, *June* 20. 1645. —— 130000 *l.* for enabling the *Scots* Army to advance *Southward.*

Id. p. 237. And by a like Ordinance *Decem.* 3. 1645.—31000 *l.* for payment of the *Scots* Army.

Beſides all which, I find in the continuation of Sir *Richard Baker*, Fol. 611. Several other Moneys rais'd for the *Scots*, which becauſe they agree neither in Sum nor time, I thought fit to tranſcribe, and leave it to my Reader to judge of it as he thinks fit.

Taxed by them in 16 *Car.* 1. 350 *l. per diem*, on the Biſhoprick of *Durham*; and 300 *l. per diem* on the County of *Northumberland*, on the penalty of Plundering. —— In the 20th they were impowered by Parliament to aſſeſs for themſelves the twentieth part of the *North*, &c. — In the 21ſt ſent them 30000 *l.* to induce them to beſiege *Newark*. — In the 22d, 200000 *l.* more for delivering up the King: And another 200000 *l.* ſecur'd them out of the publick Faith. – And 16000 *l.* allowed them for the charge of their Carriages. All which I leave (as I ſaid) to my Reader to judge; and whether (notwithſtanding all that cry of Religion and Loyalty) it far'd not with them like *Atalanta* in the Fable,

Ovid's Met. l. 10. Fab. 15. *Declinat curſus, aurumque volubile tollit.*

And

And truly considering all, if they were not well paid for their Pains, I wish they were.

CHAP. XIV.

Upon the Covenant.

UPON this Theam (saith our Answerer) *his Discourse is long, his Matter little but Repetition, and therefore soon answered.* And truly here he is better than his Word; for either he gives it no Answer at all, or where he does, it is so perfunctory that he only justifies the Proverb of *Canis ad Nilum.* As witness that *Repetition* of which he shews not one, and for the *Matter* (which is full and unanswerable) he mumbles it as a Cow does Thistles, but dares not chew it for fear of pricking his Chops. But we'll see what he says.

After an abusive and strange apprehension of Covenants, as if Men pawn'd their Souls *to them with whom they Covenant, he digresses to plead for Bishops,* first "from the antiquity of their Pos-"sessions here since the first Plantation of Chri-"stianity in this Isle; *next* from an universal "Prescription since the Apostles till this last "Century. *But what* (saith he) *avails the most primitive Antiquity against the plain Sense of Scripture, which if the last Century have best follow'd, ought in our Esteem to be first. And yet it has been often prov'd,* &c. *that Episcopacy crept not up into an Order above Presbyters till many years after the Apostles were deceas'd.* Abusive

Abuſive he ſaid! But wherein? For neither is it the way of his Majeſty's Pen, nor can any forc'd Interpretation bring the words to any thing like it. For if the Contrivers and Impoſers of the ſolemn League and Covenant did not reciprocally pawn their Souls to each other, they call'd God as a Witneſs and Avenger of the Perfidy. When *Laban* and *Jacob* made a Covenant between them, they ſet up a Pillar and a heap of Stones; *And Laban ſaid to Jacob,* *Behold this Heap, and behold this Pillar; be they a Witneſs betwixt me and thee, and the God of our Fathers judge betwixt us: And Jacob Swore by the Fear of his Father Iſaac.* i. e. By that God whom *Iſaac* his Father fear'd; whereas *Laban* on the other hand was an Idolater. And yet the Oath was Religious and binding; for it was not the God of *Nahor*, or the Pillar and heap of Stones that made any thing in it, but the true God that was repreſented by it. Not that I ſay that the *Covenant* was Religious or obligatory to any but the exacters of it, as I ſhall ſhew preſently; but to take notice of that Saying of our Anſwerer, *As if Men* pawn'd their Souls *to them with whom they Covenant*: Which in other words make this: As if any Man ſhould be ſo ridiculous as to believe the Houſes (who knew the *Scots* were afraid of being left in the lurch, and therefore would not come in without it) meant any thing more by it than to ſerve a turn. And truly ſo far he was in the right; for there is a great deal of difference between a Heart-Oath and a Lip-Oath; a Book-blowing as the *Scots* call it; and the *Tragedian* more expreſſively,

Gen. 31. v. 51, 52, 53.

Jurata lingua eſt, mente juravi nihil.

Nor

Nor have I ſooner got over one (if) than another lies in my way: *The King* (ſaith he) *pleads for the Biſhops, from their Antiquity*, &c. *But what avails Antiquity againſt Scripture, which if the laſt Century have beſt follow'd, ought in our eſteem to be firſt.* But if they have not beſt follow'd it, what then? And if he has not prov'd that they have ſo done, as he has not; I ſay he has ſaid nothing to the purpoſe: But the matter concerns Churchmen, and I leave it to them, with this for my ſelf: St. *Paul* left *Titus* in *Crete*, " That (*ſaith he*) thou ſhouldſt *Tit.* 1. 5. " ſet in order the things that are wanting, and " ordain Elders in every City as I had appoint- " ed thee. And when the Presbyters ſhall ſhew half that Authority for Juriſdiction and Ordination, I ſhall begin to believe there may be ſomething in it, and that the Words Biſhop and Presbyter are but Synonoma's; though in the mean time I am and ſhall be —— *Nullius in verba.*——

The next thing he takes notice of is, that His Majeſty ſays, " He is unſatisfied with many " Paſſages in the Covenant (ſome referring to " himſelf, with very dubious and dangerous li- " mitations) for binding Men by Oath and " Covenant to the Reformation of Church " Diſcipline and Government. To which our Anſwerer ſays: *Firſt, thoſe Limitations were not more dangerous to him, than he to our Liberty and Religion*; and cunningly ſlips the Cart before the Horſe, for well he knew Religion was but the Pretence, whereas the deſign was under the name of Liberty to warrant Licentiouſneſs; and therefore it was but good Manners that the Hand-maid waited on the Miſtreſs. *Next,*

that

that which was there vowed to be caſt out of the Church, an Antichriſtian Hierarchy, which God had not planted, but Ambition and Corruption had brought in: A point not to be argued but of Moral Neceſſity *to be forthwith done.*

And whether the King had not ground enough for the words before, let any Man judge: They Swear "to endeavour to preſerve the "Rights and Privileges of Parliament, *&c.* without the leaſt Limitation, or ſo much as ſtating what they are; where by the way we may note, that the Privileges of Parliament (whatever they be) have got the Precedency of His Majeſty's Perſon: But when they come to the King, they ſwear "to endeavour to pre- "ſerve and defend the King's Perſon and Au- "thority in the Preſervation and Defence of "the true Religion and Liberties of the King- "doms, *i.e.* So long as they ſhall ſay he defends them. Which is not ſo much as they Swear to do for any ordinary Perſon that enters into this Covenant, whom they vow abſolutely to aſſiſt and defend; but here they undertake no more than barely to endeavour to defend the King, and that with a Limitation. Now ſuppoſe the certain ſafety of the King's Perſon came in competition with any of their real or pretended Privileges, Which was to have the Preference? Or that the Houſes having gotten all the Power into their Hands ſhould have ſaid (as they did afterwards) that he did not preſerve and defend the true Religion, and the Liberties of the Kingdoms; might they not alſo have ſaid, We are free of this Oath? and ſo rather ſuffer his Perſon to periſh, or actually to deſtroy him than violate a Privilege. For my part I take

Art. 3.

Art. 6.

take them to be doubts well worth the ſolving. And for the dangerous part of it, there is an Article in it, "To bring all Delinquents to ſuch "Puniſhment as the Supream Judicatories of "both Kingdoms reſpectively ſhall judge con- "venient. Nor was that Article put in to no purpoſe, and *Cromwel* nick'd his buſineſs with it, when to bring on the Commons to thoſe Votes of *Non-addreſſes*, he told them they were obliged by the Covenant to bring all Delinquents to Puniſhment. And I (ſaith he) impeach the King as the grand Delinquent of the Nation. And now tell me any Man where the King judg'd amiſs, when he ſaid ſome Paſſages in this Covenant referr'd to himſelf with very doubtful and dangerous Limitations. Though our **Accuſer** thinks it enough for him to have ſaid, *Thoſe Limitations were not more dangerous to him than he was to their Liberty and Religion.*

Art. 4.

Milton. 202.

His next is that Antichriſtian Hierarchy, *which was there vowed to be caſt out of the Church*, &c. Whether God planted it or not is not the queſtion; the King's Progenitors had bountifully water'd it, and the Law of *England* ſet a Hedge about it. They held their Poſſeſſions in *Barony*; the Statute *pro Clero* calls them Peers of the Realm; and another of Queen *Elizabeth*, one of the greateſt States of this Realm. And for a Fag-end of a Parliament, without the King's Conſent, nay contrary to his Will, to take upon them to extirpate ſo ancient, ſo eſtabliſh'd an Order, and diſ-ſeize them of their Free-hold without a legal Trial, whatever the Liberty or Religion of it might be, I am ſure it was contrary to *Magna Charta*. And himſelf

25 Ed. 3. c. 6.
8 El. c. 1.

ſelf ſays, it is a Point not to be argu'd, but of a clear *Moral Neceſſity* to be done: And a moſt expeditious Anſwer! though it may ſeem much in the dark to every Man but himſelf, and the Actors in it.

"Nor was it (ſaith his Majeſty) leſs than ſu. "perfluous to enjoyn Oaths where former Re. "ligious and Legal Engagements bound Men "ſufficiently to all neceſſary Duties. *But it was* (ſaith he) *the Practice of all reforming Churches:* Iſrael *were bound enough before by the Law of* Moſes *to all neceſſary Duties, yet with* Aſa *their King entred into a new Covenant at the beginning of a Reformation*, &c. And as well might he have prov'd it out of the firſt Words of *Geneſis*, *In the Beginning*: i. e. In the beginning of *Formation* the World was Created, and in the beginning of *Reformation* the Covenant was produc'd. But to give it a direct Anſwer: This New Covenant of which he ſpeaks, was not about Pretended Privileges, or diſputable Liberties in matters of State, nor any Conjectural Fancies in Point of Religion, but "to ſeek the God "of their Fathers; in which alſo the King "joyn'd with them; and it is ſaid of it, that "God was found of them, and gave them reſt "round about, which cannot be ſaid of ours: And which may be further obſervable; of all the Covenants made by the *Jews*, there was no one of them ever Sworn againſt the Will of the Supream, or at leaſt Subordinate Rulers; not oppoſed, but rather countenanced by the Supream; and the matter of their Covenant was always enjoyn'd by God himſelf.

2 *Chron.* 15. 12. 15.

And

And whereas he further says, *The* Jews *after the Captivity, without Consent demanded of that King who was their Master, took a Solemn Oath to walk in the Commandments of God.* See how he slurs it upon the unwary People! *That King*, &c. The *Jews* from the Captivity to the coming of our Saviour, had no Kings of their own, but were govern'd by Deputies and Vicegerents, who had not Supream Authority in themselves, but as it pleas'd the *Persian Monarchs* (and afterward *Alexander* and his Successors) to assign them; and these were call'd Heads or Princes of the Captivity, of whom *Zerobabel* was the first; and upon the Restauration of the Captivity by *Cyrus*, came back again with them to *Jerusalem* and *Judah*; and with him, *Nehemiah*, as one of the chief of the Fathers: For in the third of *Nehemiah*, ver. 16. he is call'd a Ruler, and in the fifth, verse 14. Governour in the Land of *Judah*: With this *Nehemiah* it was that the Princes and the Priests made the Covenant our Answerer speaks of, *Nehem.* 10. 1. and *Nehemiah* seal'd to it, as the *Tirshatha*, or Governour; and the People clave to their Brethren their Nobles, and entred into an Oath to *Ver.* 29. walk in God's Laws. And now what need was there to demand *that King*'s (*Artaxerxes*) Consent, when his Vicegerent joyn'd with them? In a matter too, which terminated in themselves, and their own Worship, without the least design of extirpating their Masters, the *Syrians* or *Babylonians*. And when he calls it *a Solemn Oath*, what other is it than to wheedle the People into an easier swallow of it, and that the *Solemn League and Covenant* was just such another?

And yet our Answerer will not away with it when the King says, " They made their Cove-
" nant like Manna (not that it came from Hea-
" ven as this did) agreeable to every Man's
" Palate : *For the drift* (saith he) *is that Men should loath it.* Whereas if we truly consider the thing, never was Comparison more aptly
Exod. 16. 15. applicable : " For when *Israel* first saw it, they
" said one to another, *Manna* (or, What is this?)
Ver. 20. " for they wist not what it was, and if they
" kept it above a day, it bred Worms and
" stank.

CHAP. XV.

Upon the many Jealousies rais'd, and Scandals cast upon the King, *to stir up the People against him.*

THere is a great deal of difference between Accusations and Calumnies, the first necessary to all Popular States, whereby to keep any one's growing too great for the rest (as may be seen in the *Athenian Ostracism*, or Banishment for ten Years, and the *Syracusian Petalism*, for five Years;) but Calumnies were ever exploded, as the bane and destruction of Common Society : And if they are so dangerous to Commonwealths, what must they be to Monarchy, which is never truly supported but by being at unity within it self? And yet such

ſuch were the Artifices of thoſe times, that they rais'd their *Babel* on no other Foundation; and what the effect of it was, we have all ſeen: however, it muſt not ſeem ſtrange that our Anſwerer, bred at the Feet of thoſe *Gamaliels*, ſhould all along Copy ſo exactly after the Original. But to paſs his railing, and come to his Matter, which is ſo looſe and thin that I was once going to throw it away; till I better conſider'd, that the beſt way to undeceive the People, was to undraw the Curtain and ſhew them how they had been deceiv'd; and if in the doing it they have not tack'd together all the ſhreds and parings of Policy, let any Man judge.

What the Plot of the Play was, appears in their laſt Act; and that was, by the Murther of their Lawful Soveraign, to transform and new model an ancient Monarchy into a Muſhrome of a Commonwealth. But many things were to be done by the way, and without the People it was impoſſible to effect it. They knew the People lov'd the King, but had withal taken a diſcontent at ſomewhat, but what that was not a Man of them could tell: Nor were they to learn of what importance the aſperſing a Prince is, to boil up that diſcontent to a height fit for a Rebellion. To have done this directly had been to betray themſelves: No, they firſt commend him for a good Prince, a King that would do any thing for his People.——But alas! —— There are ſome about him.—— The more's the pity.—— However, God in his time can mend all: And yet —— the leſs they ſpake of it the better; which was as much as if they had been bidden to tell no body but Folk of it.

This Foundation thus laid, they ſuppreſs the Vertue, and lay open the defects of the Government. The diſſolution of Parliaments.— The *Cales* Expedition. —— The Peace with *Spain*. —— Loan-Money. —— Ship-Money.— Enlargement of Foreſts. —— Fines, Impriſonments, *&c.* by the Star-Chamber. —— Acts of Council-Table.–Selling of Offices.— Inſolence of Biſhops, and muzzling the Mouths of painful Teachers; and what not! So that where lay the difficulty of raiſing what Superſtructure they pleas'd, or wonder (as it is ſaid of *Abſalom*'s Rebellion) that "the People went with
2 *Sam.* 15. 11. "them in their Simplicity, and knew not any "thing: Till from one thing to another they came at laſt to devolve the pretended faults of the Officer upon the Office.

Nor was the matter yet come from Words to Blows, when his Majeſty had gratified them in moſt of thoſe Particulars; but now that they had gotten an Army, it is not what the King would grant, but what the Houſes will be pleaſed to accept. The King alſo begins to have an Army, which, becauſe it appear'd more conſiderable than they imagin'd Loyalty without Money could have ever brought together, they take up another Artifice, and clamour it to the People, That the King made uſe of Papiſts againſt them: That all might be at Peace if it were not for Evil Counſellors: And for themſelves, that their Intentions were the liberties of the Kingdom, as the King in this Chapter particularly takes notice of; and our Anſwerer in his wonted Scurrility runs off to other matter; yet e're he was aware confeſſes, *The Sum is, they thought to regulate and limit his* Negative Voice, *and*

and ſhare with him in the Militia, which (in the Eighty fifth Page of his Book) he owns to have been *wrung out of his Hands.*

And yet while they thus charge the King with making uſe of Papiſts againſt them, they ſtille that Army of Sectaries themſelves brought againſt him. An Army ſo diverſified in Opinion, that had any one Regiment of them been to have entred the Ark, the Flood might have ſooner come than *Noah* ſuited them into Pairs. And now

Clodius accuſat Mœchos!

Does *Simeon* accuſe *Levi!* I ſhould think he ought not; eſpecially if we come to the order of the Houſe, that admits no Man to criminate another till he ſhall have firſt clear'd himſelf. But allowing it to be true: Thoſe Papiſts were the King's Subjects, and by the Law of the Land equally oblig'd to ſerve the King as well as Proteſtants, who yet fought againſt him. But did the Houſes never make uſe of Papiſts? I am ſure they would have done it; or otherwiſe what means that Declaration of theirs, "That "if any Papiſts would bring in any conſiderable "Sums of Money upon the Propoſitions, it "ſhould be receiv'd: and for matter of Fact that they did ſo, They hired *Owen Roe O Neal* to raiſe the Siege of *London-Derry* in *Ireland*, then beleagur'd by His Majeſty's Forces. O.J. 6. 1642.

And then for *his hearkning to Evil Counſellors, a thing ſo often charg'd upon him by the Parliament.* But who were theſe Evil Counſellors during His Majeſty's Impriſonment, and when they lock'd him up ſo that no-body could come at him,

and yet ſtill the ſame Man? But we are off the Scent: Themſelves were not thoſe Counſellors; and if they had been (perhaps) we had heard no more of it. The Lord *Cottington* was a deſperate Delinquent, but had the Grace to know where his Delinquency lay: He gave up his Maſterſhip of the Court of *Wards* to a confiding Lord, and for that time *Cantavit vacuus*—— The Beaſt *Caſtor* takes his Name a *Caſtrando*, and when the Hunters have gotten what they Hunted him for, they take off their Dogs.

And laſtly, for what concerns their own ſo much boaſted Preſervation of the Rights and Liberties of the Kingdom, it may be much doubted whether they did ſo or not; but this I dare ſay, if they merited Heaven by it, it was by an *Antiperiſtaſis*; for how ſtrong ſoever they found the Bleſſing of *Judah* upon this Land, they brought it down to that other of *Iſſachar*. As (beſides what I have ſaid before) witneſs their Committees (in every County under their Power) for the ſeizing and impriſoning Malignants, *i. e.* Such as refuſed to give them the 25th part of their Eſtates; and becauſe the County Gaols were too few to hold them, erecting others in moſt Cities, and throwing the moſt conſiderable of them on Ship-board. —— Their Sequeſtring the Eſtates of the Royal Party, and denying them the benefit of the Statute that indempnified them: Forcing ſome to Compound, and ſelling the Eſtates of ſuch as refus'd it. —— Their frequent Headings and Gibbettings. —— Their Sale of King's, Queen's, Princes, Church-Lands, *&c.*

11 *Hen.* 7. *c.* 1.

Add to this thoſe heavy Burthens (which without any Authority, and contrary to Law) they

they laid upon the People, with a saving nevertheless to the Members of either House; and the almost incredible Sums of Money they rais'd thereby. As witness that their *Weekly Assessment* of Thirty three Thousand Nine Hundred Eighty one Pounds Thirteen Shillings upon *England* and *Wales*; which for the Year came to One Million Seven Hundred Sixty Seven Thousand Forty five Pounds Sixteen Shillings.— The vast Sums of Money they made of the Plate, Rings, nay even, Bodkins and Thimbles brought into *Goldsmiths-Hall*, which in *London*, *Essex* and *Middlesex* came to eleven Millions.—— The Moneys lent upon publick Faith.—— The Profits of those Lands and Estates so seiz'd, and the many Millions they got by the Sale of them.-- Besides those By-jobbs through most Counties for the raising Horse, Foot, and Dragoons, the maintaining of them, the defence of some Garrisons, and the reducing of others. And all this for the *preserving the Rights and Liberties of the Kingdom*; which puts me in mind of that of *Tully* (*Nomina rerum perdidimus, & Licentia Libertas vocatur*) we have lost (saith he) the names of things, and Licentiousness is call'd Liberty. And yet, "the Tabernacle of the Robbers prosper'd, and those that provok'd God "were secure.

Contin. of R. Baker. *Fol.* 610.

See the Ordin. of both Houses. Mar. 1642.

Sir W. Dugd. *Short View. Fol.* 96.

See Hughes's *Abridg. for the years* 1643, 1644, 1645.

Ad Atticum.

Job 12. 6.

CHAP. XVI.

Upon the Ordinance againſt the Common-Prayer-Book.

" IT is no News (ſaith his Majeſty) to have
" all Innovations uſher'd in with the name
" of Reformations in Church and State, by
" thoſe, who, ſeeking to gain Reputation with
" the Vulgar for their extraordinary Parts or
" Piety, muſt needs undo whatever was for-
" merly ſettled never ſo well and wiſely. And
leſs News it is (ſaith our Anſwerer) *to have all Reformation cenſur'd and oppos'd under the name of Innovation, by thoſe, who being exalted in high Places above their Merit, fear all change, though of things never ſo ill, or ſo unwiſely ſettled.* Which is no more than ſo many Words ſtitch'd together, without he had ſhewn wherein this Book had been ſo ill or unwiſely ſettled: But were there—— That had been to queſtion the Godlineſs and Wiſdom of the Compilers of it, whom Mr. *Fox* calls Martyrs; or what was worſe, run foul of the Statute that ſays, It was concluded by the aid of the Holy-Ghoſt.

2 and 3 Ed. 6. c. 1.

But (ſays he) *Edward* the Sixth *confeſſes it was no other than the Old Maſs-Book done into* Engliſh, *and modell'd no farther off it, leſt by too great an alteration they ſhould incenſe the People.* And prudently one would think; becauſe to run fartheſt from what one was laſt, may be a ſign that he has altered his Opinion, but no Argument

ment that it is for the better. But the point lies elſewhere. The Univerſities had thrown more Truants abroad than the Church of *England* either could, or thought fit to provide for; to have gone back again they were too well known; and to ſet up in the Country there requir'd no more but a few Notes at St. *Mary's*, and a double Portion of Lungs and Confidence, for *Words* (ſays he) *will follow of themſelves*. And if they had the knack of laying Damnation home to them, whom ſhould the People run after but thoſe that could ſave them? As if a Man had a Sore Leg, and he ſhould go to an honeſt judicious Chirurgeon, and he ſhould only bid him keep it warm, and anoint it with ſuch an Oil (an Oil well known) and that would do the Cure: haply he would not much regard him, becauſe he knows beforehand the Medicine is but ordinary: But if he ſhould go to a Quack that ſhould tell him, your Leg will Gangrene in three days, and muſt be cut off, or you'll die unleſs you do ſomething that I could tell you; what liſtning would there be to this Man? Oh for the Lord's Sake tell me what it is, I will give you any Content for you Pains. And ſuch was the Trade of theſe Men, they cry'd down the Common-Prayer, not that they could juſtly find any fault with *that Doſe of prepar'd Words* as he calls it, but make the better way for their own *Enthuſiaſms*; whereas there ſeems no reaſon why a Man may not as well Pray in a *Set-Form* which is commanded, as Sing in a *Set-Tone*, which was never ſo much as recommended.

But we'll examine it a little. It is the advice of *the Preacher*, "Be not raſh with thy "Mouth,

Eccles. 5. v. 2. "Mouth, and let not thy Heart be hasty to ut-
"ter any thing before God: For God is in
"Heaven and thou upon Earth; therefore
"let thy Words be few. And when the Disci-
ples besought our Saviour to teach them to
Luke 11. 1: Pray, as *John* also taught his Disciples, how
easy had it been for him, if he had approv'd
this Extemporary way, to have bade them take
no care for what they should say, for it should
be given them in that Hour? Whereas on the
Matth. 6. 7. 9. contrary, he not only forbade them the use of
vain Repetitions as the Heathen do, but laid an
Injunction on them to pray after this manner,
Our Father which art in Heaven, &c. And de-
nounced Woe to the *Scribes* and *Pharisees* for
Mar. 12. 40. devouring Widows Houses under a Pretence of
long Prayer. In a word, and if the Authori-
ty of Holy Writ be of any force, I think our
Gifted Men may make up their Packs, unless
they produce some equal Authority to counter-
balance it; and if they shall not, there was be-
sides that Authority an Act of Parliament in the
Case, which no Ordinance could ever amend,
much less abrogate; but least of all, were
Cranmer, *Ridley*, *Latimer*, &c. alive would they
thank him for saying this *English Mass-Book was
Composed, for ought we know, by Men neither Learned
nor Godly.*

CHAP.

CHAP. XVII.

Of the differences between the King *and the two Houſes, in point of* Church-Government.

" TOuching the Government of the Church
" by Biſhops (ſaith His Majeſty,) the com-
" mon Jealouſie hath been, that I am earneſt and
" reſolute to maintain it, not ſo much out of
" Piety as Policy and reaſon of State. And ſaith our Anſwerer, *hath been ſo fully prov'd from the Scriptures to be vicious and uſurp'd, that whether out of Piety or Policy maintain'd, it is not material.* With this further, *that we may have learnt from Sacred Story, and times of Reformation, that the King's of this World, have both ever hated, and inſtinctively feared the Church of God.* But that they have been ſo prov'd to be as he ſays, he takes it for granted that his Aſſertion is Proof enough; for other, he gives none, unleſs it be that *Pharaoh when he grew jealous leaſt the* Iſraelites *ſhould multiply and fight againſt him, his Fear ſtirr'd him up to afflict and keep them under: And to the ſame drift this King and his Father found the Biſhops moſt Serviceable.* And now 'tis all out, and we ſee what that Church of God (he means) is, *viz.* The Seditious Exorbitancy of Miniſters Tongues, which his Father, and himſelf, and Queen *Elizabeth* before them ſo *Inſtinctively*, nor without juſt cauſe had reaſon to ſuſpect. A ſort of People which King *James* the

Βασιλικον δωρον. 65. the first calls "Proud Puritans, who cry we are "all but vile Worms, and yet will judge and "give Law to their King, but will be judged nor "controul'd by none. And some Leaves before;

Id. p. 30. "Informing the People that all Kings and Prin-"ces were naturally Enemies to the Liberty of "the Church, and could never patiently bear

Id. p. 31. "the Yoke of *Christ*; and therefore (saith he) "take heed (my Son) to such very Pests in "Church and Commonweal, whom no deserts "can oblige, neither Oaths nor Promises bind: "breathing nothing but Sedition and Calum-"nies, aspiring without measure, railing "without reason, and making their own Ima-"ginations (without any Warrant of the word) "the Square of their Conscience. Nor were they of less disturbance to Queen *Elizabeth* than they had been to him, as witness that Letter of

Chap. 15. Sir *Francis Walsingham*'s before-mention'd. And the Lord Keeper *Puckering*'s Speech in Parliament, where by the same name of Puritans he charges them "to have persecuted Her Majesty "so vigorously, that they thereby open'd the "Door to the *Spanish Invasion*; and warn'd the "Parliament from her Majesty to give no Ear "to their wearisome Sollicitations; for while "in the giddiness of their Spirits they labour "to advance a new Eldership, they do nothing "but disturb the good Repose of the Church "and the Commonwealth. And how they dealt with his Majesty, there are few Men (sure) can be so much Strangers at home as not to know. And therefore if the Bishops (as *Cicero* in his Consulship says of himself, *Eos qui otium perturbam reddam otiosos*) took his way of Silencing that Seditious Exorbitance of their Tongues, they were serviceable

Serviceable I must acknowlege it, but wherein did they exceed the Obligation of their Office? But to proceed.

What the Bishops by the Laws and Constitutions of this Kingdom were and are, I have already shown. And therefore for answer to what he says, That *many Western Churches settled above Four Hundred Years ago in* France, &c. *have not admitted of Episcopacy among them.* The reason is obvious, not that they would not admit Episcopacy, but that they liv'd in a Catholick Country, and so must either have Catholick Bishops, or govern themselves as well as they might: And if they have no Bishops, they have something else that has the Power of Bishops, though it be in many; and thirty single Pence with us make a Half-Crown. Chap. 14.

In a word, they that would pull down Bishops and erect a new way of Government, do as he that pulls down an old House and builds another of a new Fashion; there's a great deal of doe and a great deal of Trouble; the old Rubbish must be carried away, and new Materials must be brought; Workmen must be provided, and perhaps the old one might have serv'd as well.

CHAP.

CHAP. XVIII.

Upon the Uxbridge *Treaty, and other Offers made by the* King.

" I look upon Treaties (ſaith his Majeſty) as " a retiring from Fighting like Beaſts, to " argue like Men. —— And though I could " ſeldom get the Opportunity, I never want- " ed either deſire or diſpoſition to it. And *if* (ſays our Anſwerer) *he look'd upon Treaties as a retiring from Beſtial Force to Humane Reaſon, his firſt* Aphoriſm *here is in part deceiv'd, for Men may treat like Beaſts as well as fight. When through dilatory purpoſes they come from fighting to undermining.* Thereby inſinuating that ſuch and no other was the end of all the King's Treaties: But whoſe that degenerous way was, and whether the King's or the Houſes we come to examine; with this by the way, that the Houſes never deſir'd any Treaty, but when they were making their Recruits, or foreſaw the King would be upon them before they were ready for him, if they could not divert him by a Treaty: And ſuch was this their *Petition to him at* Colebrook *to vouchſafe a Treaty.* The Story lies thus.

The King had ſet up his Standard at *Nottingham*, at which time *Eſſex* lay with his Army at *Worceſter* to attend his Motion, who finding his Forces not ſufficient enough to give *Eſſex* Battle, he went to *Shrewsbury*, where he was

was quickly furnish'd; and having appointed the Earl of *Lindsey* to be General, marches towards *London*: *Essex* seems to take no notice of it, and makes no offer to stop him, but as soon as he was gone by keeps close in his Rere: The King to avoid being hemm'd in between *Essex* and the City of *London*, turn'd upon him, and gave him Battle at *Edgehill*, in which, whoever had the better of it, *Essex* thought fit to get back for *London*, which was so frighted that they had shut up their Shops, and the Houses caused all the Train'd-Bands and Auxiliaries to be drawn together. The King on the other hand unfortunately struck off to *Oxford*, but continuing his former Resolves for *London*, he again advances towards it, and is met (with the Petition before-mention'd) at *Colebrook*, but finding it nothing but a design to get time, he forceth his way at *Branford*, where he cut off three of their Regiments, and (by what Fate or Council I know not) was again diverted for *Oxford*; whither (the *North* being generally reduc'd to his Obedience) the Queen return'd from *Holland*. His Arms successful in the *West*, their own affairs half under Water, and they *Scots* not yet come to their Assistance, they send Commissioners to Treat, but with such Propositions as they were sure would protract time, but never be yielded unto.

And if he will not, *Essex* and *Waller* had two Armies, and they appear before *Oxford*, but the design having been smelt before, the Queen is sent into the *West*, and himself marched towards *Worcester*, on which *Essex* and *Waller* divide their Armies, *Essex* goes into the *West*, and *Waller* follows the King, who turn'd upon

upon him at *Copredy Bridge*, and gave him a total Rout; and forthwith follow'd *Eſſex* into *Cornwall*, from whence *Eſſex* got off in a Boat for *Plimouth*, and his Horſe having broke through in the Night, the Foot were forc'd to lay down their Arms, and upon conditions never more to bear Arms againſt the King, were ſuffer'd to depart.

The King before this time had from *Eveſham* July 4.1644. deſir'd and propounded a further Treaty for the full ending the matters in queſtion, but they had two Armies (as was ſaid before) and thought it below them to return him an Anſwer. However, the King after this double Succeſs Sept. 8.1644. thinks it no diſhonour to renew his deſires of a Treaty, and by a Meſſage from *Taveſtock* does it, but to no purpoſe: For what with the remains of *Waller*'s Army, *Eſſex*'s Horſe that broke through, and the Foot whom they had Preach'd into new Arms, (by perſwading them the Conditions were unlawful, and conſequently invalid) the Train'd-bands and Auxiliaries, they had form'd a conſiderable Army before the King could get out of the *Weſt*; but there alſo being diſappointed in the Succeſs, a Trea- Jan. 30.1644. ty is appointed at *Uxbridge*, where the Commiſſioners on both ſides met; but thoſe for the Houſes limited to twenty days.

This Treaty is the Argument of this Chapter; and though I have been longer in coming to it than might regularly become the ſhortneſs of a Reply, yet becauſe it contributes much to the diſcovery of the Intrigue, and where the fault lay, and whether the King or the Houſes may be charg'd more juſtly with it, I may be the more excuſeable.

To

To be ſhort, the Treaty began, and the King made ſuch large Conceſſions, that if they had met him one third of the way, it was impoſſible but it muſt have concluded in a Peace. For it was (as alſo ſays our Anſwerer) come to theſe three Heads; *Epiſcopacy*, the *Militia*, and *Ireland*: To which His Majeſty's Commiſſioners thus anſwer'd, That the firſt as it was propos'd took off all dependency of the Clergy upon His Majeſty, propoſing only the Biſhops Lands to be ſettled on him (ſubject nevertheleſs to the diſpoſal of the Houſes) whereas all the Lands of Biſhops, Deans and Chapters, *&c.* (if thoſe Corporations muſt be diſſolv'd) belong to the King in his own Right.

See the Treaty at large in the Folio Book of the King's Works. Fol. 512

As to the *Militia*, as it was propoſed, the King was ſo totally diveſted of the Regal Power of the Sword, that he would be no more able to defend any of his Allies than his own Dominions from Rebellion and Invaſion; and conſequently the whole Power of Peace and War (the acknowledg'd and undoubted Right of the Crown) is taken from him.

And as to *Ireland*, the Power of nominating the Lord Lieutenant, *&c.* and other Officers there, and in that the dependency of that Kingdom, would as it was propos'd, be taken from him. And to add to all, it was farther propos'd, to bereave him of the Power of a Father in the Education and Marriage of his Children, and of a Maſter in rewarding his Servants. And ſo, what between pretended want of Inſtructions, and the twenty days ſpun out to nothing, the Treaty broke off, as well it might, with them that came prepar'd not to yield any thing: However, his Majeſty's Commiſſioners

missioners desir'd an Enlargement of time, but it would not be granted.

And to Salve it on their side, our Answerer runs to his common Topick, *That the King had* nothing (no *not so much as Honour*) *but of the People's Gift, yet talks on equal terms with the grand Representative of that People, for whose sake he was made King:* And is one of the modestest Expressions of his whole Book, and which I have so fully answer'd before, that I need not add any thing farther to it here.

Chap. 6.

CHAP. XIX.

Upon the various Events of the War; Victories and Defeats.

THIS Chapter relates nothing to the History of those times, and is a brief but pathetical Account of his Majesty under those varieties of Events, wherein he acquitted himself,

Justum & tenacem proposíti virum,
Quem Civium ardor prava jubentium
Mente non quassit solida. ——

And verified his own Words, That "he wish'd "no greater advantage by the War, than to "bring his Enemies to Moderation, and his "Friends to Peace: As also those other, That "if he had yielded less he had been oppos'd "less, and if he had denied more he had been "more obey'd. And if the Word of a King may not pass in his own Case, take in all Histories of him, and you'll find him so little made up of Accidents, or subject to them, that he sacrific'd

ſacrific'd his Particular to the advantage of the whole, and more regarded an honeſt Life than a ſafe one.

Nor has our **Accuſer's** railing given me Ground to take notice of him in this Chapter, other than when he ſays, *His Lips acquitted the Parliament not long before his Death of all the Blood ſpilt in this War*; which alſo he had ſaid before; and to what I then urg'd I only add this now, That His Majeſty at the Treaty of the Iſle of *Wight* ſeeing the unreaſonableneſs of their demands, made ſome *Queries* upon them, of which this was one, "Whether his acknowledge- "ment of the Blood that had been ſpilt in the "late Wars (nothing being yet concluded or "binding) could be urg'd ſo far as to be made "uſe of by way of Evidence againſt him, or "any of his Party. And whether this be an acquitting the Parliament (for other I am ſure there is none) I appeal to any Man. His Majeſty came as near the Wind as with Honour he could, till finding at laſt that nothing would do, as ſtripp'd as he was of every thing but his Vertue, and the Freedom of his Mind, he juſtified to the World, that however he was within the common Chance, he was not under the Dominion of Fortune.

See the King's Book in Folio. Fol. 608.

CHAP. XX.

Upon the Reformations of the Times.

I Need not tell my Reader the Argument of this Chapter, the Title ſpeaks it, and "As "his Majeſty was well pleas'd with this Par-

" liament's firſt Intentions to reform what the
" indulgence of Times and corruption of Man-
" ners might have deprav'd; ſo (ſaith he) I
" am ſorry to ſee how little regard was had to
" the good Laws eſtabliſh'd, and the Religi-
" on ſettled, which ought to be the firſt Rule
" and Standard of Reforming. But our An-
ſwerer will by no means hear thoſe *two Bug-bears of Novelty and Perturbation*, (an Expreſſion his Majeſty uſes in this Chapter) *the ill looks and noiſe of which* have been frequently ſet on foot to *divert and diſſipate the Zeal of Reformers*: *As it was the Age before in* Germany *by the Pope, and by our Papiſts here in* Edward *the Sixth's time. Whereas Chriſt foretold us his Doctrine would not be receiv'd without the Cenſure of Novelty and many great Commotions.* But with his Favour, he neither ſhews us that this Parliament had the ſame Authority which our Saviour had, or that they proceeded his way: For beſides that
Mat. 5. 17. " He came not to deſtroy the Law, but to full-
" fil it in all Righteouſneſs, he commanded
Mar. 9. 50. this to his Diſciples (*Habete ſal in vobis, & pacem inter vos*) " Have Salt, (*i. e.* Wiſdom) in
" your ſelves, and Peace one with another. And as he knew God was the God of Order, not of Confuſion, he left the Care of his Church to his Diſciples, but no where (that I find) to reform it by Tumults, or under the Face of Religion to deſtroy the Power of it; as muſt inevitably follow, when againſt known, ſettled, eſtabliſh'd Laws Men ſhall take upon them to reform by the Lump, without diſcerning what
Lord Bacon. things are intermingled like Tares among Wheat, which have their Roots ſo wrapp'd and entangled together, that the one cannot be

be pull'd up without endangering the other, and ſuch as are mingled but as Chaff and Corn, which need but a Fan to ſift and ſever them.

And that his Majeſty was not averſe to a due Reformation appears in this, when he ſays, "I have offer'd to put all differences in Church-"affairs and Religion to the free Conſultation "of a Synod or Convocation rightly choſen. *So offered* (ſaith our Anſwerer) *all Popiſh Kings heretofore: And let it be produced what good hath been done by Synods from the firſt times of Reformation.* And truly if he knows none, I offer none: Though methinks he ought not in Gratitude to have forgotten their own Aſſembly of Divines, Men of unknown Parts, and ſo Inſtrumental to the carrying on of the Cauſe, that if they had not kept blowing the Coals, the Fire would have quickly gone out of it ſelf. But what talk we of Gratitude to a Man of thoſe Times; the Fiſh was caught, and what more uſe of the Net?

And yet if the Houſes had with the King ſubmitted thoſe differences to a Synod rightly choſen, where had been the hurt? Flannel-Weavers I muſt confeſs are not the beſt at making Love; yet we have an old Proverb (*fabrilia fabri*) Every Man in his own Trade: And who more fit to judge of Church-matters than Churchmen? But this had been to *uphold an Antichriſtian Hierarchy*; and what need that, when ſcarce a Man of our Reformers but was a Church by himſelf? And why might not they bid as fair now as the Army of God and the Church in King *John*'s time; the Holy League in *France*; the Sword of the Lord *John Knox* and *Gideon* in *Scotland*; *John* of *Leyden*, and *Camb. Brit. Fol.* 509.

Knipperdoling in *Germany*? *Tantum Religio potuit!*— That ſucceſsful Pretence of Mankind, Religion! *Abſalom* mask'd his Rebellion with a Vow at *Hebron*; and *Herod* his deſign of Murther with another of Worſhip.

CHAP. XXI.

Upon His Majeſty's *Letters taken and divulg'd.*

I Have heard of a malicious Stab, that contrary to the intent of the hand that gave it, open'd an Impoſtume: And ſuch was the barbarity of this Action, of which alſo it may be as truly ſaid,

Una eademque manus vulnus opemque tulit.

Of Naſeby. The Fortune of that day in which His Majeſty loſt thoſe Letters, might (one would think) have been enough to the Houſes, at leaſt kept them from forfeiting the dignity of Men. Some Men are drawn away by Intereſt, others by Pleaſure, a third ſort by Profit, but every of theſe were leaſt in the Caſe: For what Intereſt of theirs could it be to expoſe their King, whoſe Honour they had ſo often pretended to defend? Whereas having got their Point, it had been their Intereſt rather to have juſtified thoſe Pretences, and dealt with him like a charitable Phyſician, who when he cannot ſave his Patient's Life endeavours to make his Death eaſie. Then for Pleaſure, there was neither the Luſt of the Eye, nor the Pride of Life in it, but rather the

the contrary; for Mankind naturally pity the afflicted, and are ready to put those Pieces together again which their Heat tore asunder: And it may be generally observ'd, he that takes Pleasure in the Evil befallen another has no good of his own. And lastly for Profit, there also could be the least Prospect, unless it were by killing the Heir to divide the Inheritance.

And if there were none of these in it, what remains but that it was a Wickedness even for the sake of Wickedness: That low ignoble going of the Serpent which creeps basely on its Belly, and not upon Feet. And because His Majesty was most sensible of it, take his Thoughts upon it: "The taking away of my Credit is "but a necessary preparation to the taking a-"way of my Life and my Kingdoms: I must "seem neither fit to Live nor worthy to "Reign; and by exquisite Methods of Cunning "and Cruelty, I must first be compelled to "follow the Funerals of my Honour, and then "be destroy'd. And yet they miss'd that their end as to his Credit, when in thus exposing the Father of their Country they only discover'd their own Shame, and evinc'd to the World "what they were so loath should be believ'd "of him, That he could both mind and act "his own and his Kingdoms Affairs as became "a Prince, and that he was his own Coun-"sellor.

In short, his Majesty in those Letters lost but so many Papers, wherein had there been any thing disadvantageous to his Honour we had been sure to have had it: And yet if there had, who was more Praise-worthy, *Cham* that discover'd his Father's Nakedness, or *Sehu* that Gen. 9. 23.

buried thoſe remnants of *Jezabel*, for ſhe was a King's Daughter? Eſpecially when they did but bark at the Moon, and all their Malice (like Arrows ſhot againſt a Wall) either broke in pieces, or return'd on themſelves.

2 *Kings* 9. 34.

CHAP. XXII.

Upon his Majeſty's *leaving* Oxford, *and going to the* Scots.

THE *King's coming in, whether to the* Scots *or* Engliſh (ſaith our Anſwerer) *deſerved no Thanks, for Neceſſity was his Counſellor.* And what deſerv'd they that drove him to this Neceſſity; which, had not the *Scots* come in with their Brotherly Aſſiſtance, had never been? That the *Scots* firſt began his Troubles, and the Houſes improv'd upon it, has been ſufficiently ſhown: And yet ſo deſirous was the King of Peace, that after ſo many fruitleſs Meſſages, he again (in the Winter 1645.) ſent to the Houſes for a paſs for the Duke of *Richmond* and others, to bring them New Propoſitions, which was denied him a firſt and a ſecond time: Then he ſent to them that himſelf might come in Perſon, which was as often denied him, as being the only thing they now fear'd from him; and therefore, inſtead of granting it, they made an Ordinance, "That "the Commanders of the *Militia* of *London*, in "Caſe the King ſhould attempt to come with-"in the Line of Communication, ſhould raiſe "what

"what Forces they thought fit to ſuppreſs "Tumults, to apprehend ſuch as came with "him, and to ſecure (*i. e.* to Impriſon) his "Perſon from Danger. And our Anſwerer confeſſes it to have been ſaid, That *His purpoſe was to have come to* London, *till hearing how ſtrictly it was Proclaimed, that no Man ſhould conceal him, he diverted his Courſe.*

And, what in this Caſe ſhould a diſtreſs'd Prince do? Come to *London* he could not, without endangering his Friends, ſome of which they had ſo often gibbetted: To have gone for *Ireland*, might have been what they deſign'd, and thereby juſtifie their Jealouſies of an *Iriſh* Popiſh Army. And to have made for *France*, he knew not what Conſtruction might have been forced from it. To whom therefore ſhould he rather apply, than to the *Scots?* They had begun his Troubles, and who knew, but (by this time) they might have ſeen their Errour?

What Prudence (ſaith our Anſwerer) *there could be in it, no Man can imagine: Malice there might be, by raiſing new Jealouſies to divide Friends.* And excellent Friends, no doubt but he thought them, by the character he gives them; *An hireling Army of* Scots, *paid for their Service here, not in* Scotch *Coin, but in* Engliſh *Silver; nay, who from the firſt beginning of theſe Troubles, what with Brotherly Aſſiſtance, and what with Monthly Pay, have defended their own Liberties and Conſciences at our Charge.* And ſo concludes it *hazardous* and *raſh.* What the hazard of it might have been is too late to enquire now, but that it was not Raſh but Prudent, will readily appear, if we conſider,

The

The King was their Country-Man born; and there might be ſomewhat in that *Natale ſolum*, of which *Ovid* ſpeaks —— *Et immemores non ſinit eſſe* —— Or if that were nothing, his Father had particularly oblig'd them to his
V. *Chap.* 1. hurt —— Himſelf had forgiven them ſeveral Inſurrections —— Themſelves had given him repeated aſſurances of their future Loyalty —
Chap. 13. Their own Statutes, National Covenant, and Letter to his Majeſty, had oblig'd them to his Defence —— And, greater than all theſe, their own Intereſt, when by this one generous (but Loyal) Act, they had recover'd themſelves to the World, and ſhown it was not the Nation, but a Faction that were his Enemies. And therefore conſidering what I have ſaid, give me leave alſo to conclude from it, That this Act of the King's, in truſting himſelf with the *Scots*, was not the Effect of Raſhneſs, but the Reſult of Prudence; eſpecially, if we credit the general Belief of that time, That the *Scots* had been pre-acquainted with his intention of coming to them, and that they had return'd him private Aſſurances of their Fidelity to him.

CHAP. XXIII.

Upon the Scots *delivering the* King *to the* Engliſh, *and his Captivity at* Holdenby.

OUR Anſwerer ſays little to this Chapter, but as little as it is, ſee with what Art he

he manages it! Nor are his Brethren leſs than beholding to him. *That the* Scots *in* England *ſhould* ſell their King, *as the King here affirms, and* for a Price ſo much above that, *which the Covetouſneſs of* Judas *was contented with to ſell* our Saviour, *is ſo foul an Infamy and Diſhonour caſt upon them, as befits none to vindicate but themſelves: And it were but friendly Counſel to wiſh them beware the Son, who comes among them with a firm belief that they Sold his Father.* In the former Chapter he gibes them with their Brotherly Aſſiſtance; and here, to whet them againſt the Son of that Father, he lays at their Door an Infamy ſo foul, that if they do not Vindicate it themſelves, no one elſe (he is ſure) can do it for them: And why all this, but to tell them in other Words (*Scelere velandum eſt Scelus*) they had gone too far, not to go farther, and therefore cannot be ſecure till they do as much by his Son.

Whatever it be (I think) this may be ſaid in the Matter, That as Truſt is the Sinew of Society, Truth is the Pledge of it: And therefore as they were his Majeſty's Countrymen, and Sworn Subjects, in Confidence of which he had intruſted his Perſon with them; as the keeping that Oath impeded no moral Good (a diſtinction yet which every Man will not allow;) as the Perſon to whom they ſwore, was not incapable of an Oath (which is much the ſame;) as he came not to incline them to any thing but that Duty which was incumbent upon them; and if he had no voluntary Rule in their Hearts, he wanted Power to gain a Coerſive —— If they had not thought fit to defend him, they ſhould not have put him in a worſe

a worse Condition than they found him. He was their King, and wanted no Letters of Safe-Conduct; and therefore, as he came free, they ought to have set him as free out of his Enemies reach. " Thou shalt not smite them, (said *Elisha* to the King of *Israel*, concerning the *Syrians* he had then in his Power) " for thou neither tookest them with thy Sword " nor thy Bow: But set Bread and Water " before them, that they may eat and drink, " and let them go. And the kindness prevailed with the King of *Syria*, though had the Case here been, that they had taken him, I know not how they could have deliver'd him up. And memorable to this Purpose is that of *James* the Fourth of *Scotland*, who when *Perkin Warbeck* had fled to him for Protection, from our *Henry* the Seventh, not only protected him, but rais'd an Army for him; him, with whose Head he might have made what Peace he would with King *Henry* his profest Enemy: And when at last a Peace was concluded between the Kings (upon the Marriage of King *James* with *Margaret*, Eldest Daughter of *Henry* the Seventh, by whose Issue came the Union of the Crowns) he not only refused to deliver up the said *Perkin*, but gave him a safe Transport for himself and his Followers.

2 Kings 16. 22.

There remains yet to have spoken to that other part of the Title of this Chapter, *His Captivity at* Holdenby; but because our Answerer takes no notice of it, neither (I think) ought I.

CHAP.

CHAP. XXIV.

Upon their denying his Majeſty *the Attendance of his Chaplains,* viz. *Dr.* Juxon, *Biſhop of* London; *Dr.* Duppa, *Biſhop of* Salisbury; *Dr.* Sheldon, *Dr.* Hammond, *Dr.* Holdſworth, *Dr.* Sanderſon, *Dr.* Turner, *Dr.* Heywood.

THERE ſeems ſomewhat in it more than of Chance, that his Majeſty thus Names the particular Perſons, "Whoſe Service and "Aſſiſtance he both needed and deſired in that "Solitude they had confin'd him to, and "where the Company they had obtruded on "him, was more ſad than any Solitude could "be; that more ſober Times enquiring into the Ground of it, might the better judge, whether this his deſire was more reaſonable, or their denying it him, more barbarous. A Mercy which not Religion only allows, but even the Rigor of the Law never denied the meaneſt and greateſt Malefactors. Yet ſee how ſhameleſly this **Accuſer** takes upon him to Anſwer it! *A CHAPLAIN, a thing ſo diminutive and inconſiderable, that to take up ſuch room in the Diſcourſes of a Prince, if it be not wondred, is to be ſmiled at — The Scripture owns no ſuch Order: In State perhaps they may be liſted among the Upper Serving-Men —— The Sewers or Yeomen Ushers of Devotion —— The*

Implements

Implements of a Court Cup-board, &c. *And what ail'd this King, that he could not chew his own* Mattins, *without the Prieſt's* Oremus? Which, with the reſt of this his Chapter, has ſo outgone even ſcurrility it ſelf, that though I had once reſolv'd to have paſs'd it over, I could not yet but deſire my Reader to conſider the Perſons of whom this Character is given, and then tell me how well the Character of any one of them agrees with the Perſon. And therefore (let the World Cenſure me how they liſt) I purpoſely avoid the further medling with this his Chapter, as for the ſame Reaſon alſo, I ſhall ſay leſs to the next.

CHAP. XXV.

Penitential Meditations *and* Vows *in the King's* Solitude *at* Holdenby.

HIS Majeſty in this Chapter may ſeem to have had holy *David* in his Eye, when he ſaid, "Lord, remember *David*, and all his "Troubles: How he ſware unto the Lord, "and vowed a Vow unto the Almighty God of "*Jacob*. And yet this **Accuſer** ſo malicioufly detorts thoſe Meditations, that unleſs one run into the ſame Exceſs with him, it will be impoſſible to get up with him; which having for my part reſolv'd not to do, I leave him to run by himſelf, and only deſire my Reader to collate theſe Two Chapters of the King's, with thoſe of our Anſwerer, and then judge as he thinks fit; and whether I have done other, or leſs in this Matter, than what became me to have done.

Pſal. 132.

CHAP.

CHAP. XXVI.

Upon the Army's Surprizal of the KING *at* Holdenby, *and the enſuing Diſtractions in the Two Houſes, the Army, and the City.*

"THIS ſurprize of me (ſaith his Majeſty) "tells the World, that a *KING* "cannot be ſo low, but he is conſiderable, "adding weight to that Party where he ap- "pears. —— What the Presbyterians have "hunted after, the Independants now ſeek to "catch for themſelves— And as an Argument "that they are manumitted from the Rivals "Service, aſſume my Perſon into the Armies "Cuſtody, without any Commiſſion, but that "of their own Will and Power. To which our Anſwerer. *To give an Account to Royaliſts what has been done with their Vanquiſh'd King's yielded up into our* (i. e. the Peoples) *Hands, is not to be expected from them whom God hath made Conquerors. And, for Brethren to debate, and rip up their falling out in the Ear of a Common Enemy, is neither wiſe nor comely. To the King therefore, were he living, or to his Party yet remaining, as to this, belongs no Anſwer.* No! and why not? Becauſe thoſe that had a Mind to be ſatisfied in the Action, might deſire to know by what juſt Means the King came into their Hands? How Subjects, whom the Law of *England*

land never call'd Enemies, could be ſaid to have conquer'd him? How God came intituled to it, when it was ſo directly contrary to the Law of God? And how the Law of the Land, which was their common Cry to defend, could juſtifie that Rebellion and Parricide, which it every where condemns? And is it enough (think ye) to ſay no Anſwer belongs to it? He knew there was none to be given, and therefore, Magiſterially ſlighted it. He holds it alſo *neither wiſe nor comely, that the falling out of Brethren be debated before a Common Enemy*; and tacitly implies his Reaſon, leaſt the Uncircumciſed rejoice. But (I think) I can tell ye a better. When Presbytery rode the fore-Horſe, no one kept up with it more than himſelf; but, when he found it began to faulter, he was loth to loſe Company, and jogg'd on with the reſt.

The firſt leading Men that carried on the War were *Preſbyterians*, and their General upon the New-Model was as right as they could wiſh to have had him: And yet, he was in the Hands of the Army, and that Army in the Hands of his Lieutenant-General *Cromwell*: A grand miſtake of theirs, in thinking to Settle Presbytery with an Army of *Anabaptiſts, Independents, Fifth-Monarchy-Men*, and what not: Bone of their Bone, and Fleſh of their Fleſh ('tis true) but as Mortal Enemies to them, as were the *Jews* to the *Samaritans*, and yet both of them had *Abraham* to their Father: And for *Cromwell*, though no one could ſay of what Religion he was (beſides that he ever match'd the Colour that was in Faſhion) he ſtill proteſted Obedience and Fidelity to the Parliament

liament, and by that Means got his Ends of the King and them.

And whether our Answerer took it not right, judge, when he says, *Some of the former Army, touch'd with Envy to be out-done by a New Model; and being prevalent in the House of Commons, took advantage of* Presbyterian *and* Independant *Names, and the War being ended, thought slightly to have discarded them, without their due Pay, and the reward of their invincible Valour. But they* (i. e. the Independants) *who had the Sword yet in their hands, disdaining to be made the first Objects of Ingratitude and Oppression, after all that Expence of their Blood for Justice and the Common Liberty, seiz'd the King, their Prisoner; whom nothing but their matchless Deeds had brought so low, as to surrender his Person.* By which we see the Bottom of this *Good Old Cause*, when the only quarrel was about dividing the Spoil. And truly, when they that once had it could not keep it, what had our Answerer to do to gape after them any longer: And brings into my Head that Story of the *Friars*, *Crucifixus est etiam pro nobis.* But to go on with the Matter.

The King is now in the Army's Hands, but our Answerer thinks not fit to say a Word to "the Distractions in the Two Houses, the "Army, and the City, that ensued it, but has left it out of his Title: And why, but that it must not be spoken in *Gath*, when yet every Man here is not a Dweller of *Askalon*.

Cromwell found that the Parliament out-carded him, as having gotten the King their Prisoner, and put the *Militia* of *London* into the Hands of a Committee of Citizens, whereof the Lord Mayor for the time being to be One; May 4. 1646.

and therefore, unleſs he could give them the Croſs-bite, and bring the Army to mutiny againſt their Maſters, he knew he muſt expect no better of them, than what *Eſſex* had found from them. To this purpoſe he and *Ireton* (his Son-in-Law) take advantage of a Vote of theirs (25. *May* 1647.) for Disbanding the whole Army, excepting Five Thouſand Horſe, and One Thouſand Dragoons, and ſome Firelocks, to be kept up for the Safety of the Kingdom, and ſome to be ſent for *Ireland*, and ſpread a Whiſper through the Army, that the Parliament, now they had the King, intended to Disband them, to cheat them of their Arrears, and ſend them into *Ireland*, to be deſtroy'd by the *Iriſh*.

And it ran like Wild-fire; for, the Army were ſo inrag'd at it, that they ſet up a new Council among themſelves of Two Private Soldiers out of every Troop and Foot Company, to conſult for the Good of the Army, and to aſſiſt at the Council of War, and adviſe for the Peace and Safety of the Kingdom: And theſe they called *Agitators* or *Adjutators*, it matters not which; for whatever *Cromwell* (who yet ſtood unſuſpected by the Houſes) had a mind to be done, there needed no more but putting it into theſe Agitators Heads. And the Effect of their firſt Conſultation was to take the King from *Holmby* (where, upon his being deliver'd up by the *Scots*, the Parliament had lodged him with Colonel *Graves*) and bring him to the Army.

Feb. 16. 1646.

Amongſt theſe there was one *Joyce*, a ſtubbed, bold, ignorant, *Enthuſiaſtick* Journey-man Taylor, who from the Service of *Denys Bond* had gone out to the Aſſiſtance of the Lord againſt

gainſt the Mighty, and much about this time made a Cornet of Horſe: And however the matter was contriv'd (for Commiſſion he had none) he went off by Night in the Head of a Thouſand Horſe, and having ſurpriz'd the Parliament-Guards at *Holmby*, early in the Morning, importunately demands admittance into the King's Bed-Chamber, as from the Army, and was hardly prevail'd upon, to ſtay ſo long as till the King could get up; but being come in, told his Majeſty he was ſent by the Lieutenant-General, to ſecure his Perſon from his Enemies, and bring him to the Army: On which, the King demanding to ſee his Commiſſion, *Joyce* opens a Window, and points to the Body of Horſe that ſtood drawn up on the Side of the Hill before the Houſe; An undeniable Argument, ſays his Majeſty, and ſo went with him; who brought him to the Head-quarters at *New-Market*. *Cromwell* ſeems no leſs ſurpriz'd at it than the King; however ſince he was among them, aſſur'd him, he ſhould have no Cauſe to repent it; and in a ſeeming paſſionate Manner promis'd him, to reſtore him to his Right againſt the Parliament.

On this the Parliament ſend to the General, to have the King redeliver'd to their Commiſſioners; and this the rather, for that the General by his Letters to them, had excus'd himſelf, and *Cromwell*, and the Body of the Army as ignorant of the Fact; and that the King came away willingly with thoſe Souldiers, that brought him. And yet, inſtead of giving them an Anſwer, the Army ſend a Charge againſt Jun. 23. Eleven of their Members, all active leading Men, 1647. and require them to appoint a Day to determine this Parliament, and in the mean time to

ſuſpend the Eleven Members ſitting in the Houſe; to which laſt they only anſwer, and ſay, they could not do it by Law, till the Particulars of the Charge were produced; and were ſoon replied to with their own Proceedings againſt the Earl of *Strafford*, and the Archbiſhop of *Canterbury*.

The *London Militia* had been yet in the Cities Hands, till *Cromwell* taking the opportunity of a thin Houſe, procures the Ordinance of the Fourth of *May* aforeſaid to be revok'd, and the *Militia* put into other Hands, more favourable to the Army. On which a Rabble of Apprentices and Disbanded Soldiers, headed by the Sheriffs, under the Name of a Petition, beſet the Houſes, and force them to reſettle it as it had been on the Citizens.

Jul. 26. 1647.

Hereupon the two Speakers, with forty of the Lower Houſe, five Earls, one Viſcount and three Lords, run off to the Army, and Vote with them in their Council of War in the Nature of a Parliament, and engage to live and die with the Army.

And *a Mercy it was*, ſays our Anſwerer, *that they had a Noble and Victorious Army ſo near at hand to fly to!*

The remains of the Houſes on the other hand chuſe new Speakers, and raiſe an Army in the City; and declare in Print, it was in Order to his Majeſty's being free, and in a capacity of treating: which yet they made uſe of but as a Stale to the Faction.

The Army-Soldiers alſo engage to *Fair fax*, that they will live and die with him; the Parliament (*i. e.* ſuch of the Houſes as had fled to them) and the Army, who ſet out a Declaration of the Grounds of their march towards *London*, and

and denying them to have been a Parliament, ſince the ſaid 26 of *July*, at what time they were under a force, call them the *Gentlemen at Weſtminſter*; and by a Letter to the Lord Mayor and Aldermen, reproach them with thoſe Tumults, and demand the City to be delivered into their Hands, to which purpoſe they were now coming to them.

To be ſhort, the Forces the City had raiſed were able, and willing enough to have fought the Army; but the Lord Mayor and Court of Aldermens Hearts failing them, they open their Gates, and let them march through the City.

And now the firſt thing was to replace the Speakers, and purge the Houſes, which being accordingly done, and a holy Thankſgiving appointed, they declare all that had paſt in the Houſes from the ſaid 26 of *July*, to the 6 of *Auguſt*, to be null and void. And the Army (in their way) impeach ſome, impriſon others, demoliſh the Line of Communication, and take every thing into their own Hands. And yet to ſweeten the People on the other ſide, they treat the King (now at *Hampton-Court*) with more Liberty and Reſpect than had been ſhewn him by the Parliament's Commiſſioners; for they not only allow him his own Chaplains, and permit his Children and ſome Friends to ſee him, but pretend to eſtabliſh him in his juſt Rights; to call Committees and Sequeſtrators to an account, and free the People from Exciſe and Taxes; and now who but the Army and *Cromwell!*

Aug. 6. 1647.

Tertius è cœlo cecidit Cato! ——

Such (as well as I could put them together) were the Diſtractions in the two Houſes, the Army and the City, that enſued the Army's ſurpriſal of the King at *Holmby*. And here they

ended for this time; what became of them afterward I shall come to show in the last Chapter.

CHAP. XXVII.

To the Prince *of* Wales.

HIS Majesty's Father, King *James* the First, who might have truly said, Many and evil have been the days of my Pilgrimage, thought it not enough to have pass'd those Windings himself without leaving his Son some Clue to direct him; and therefore wrote that his Βασιλικὸν Δῶρον, or Instructions to his Son *Henry* the Prince: And by his Fatherly Authority charges him to keep it ever with him as carefully as *Alexander* did the *Iliads* of *Homer*. And the same seems this the King's Letter to the Prince of *Wales*. A Manual penn'd by the best of Men, and may be a Guide to the best of Princes. For as to himself, it is so *ad fidem Historiæ*, and as to the Prince so *ad exemplar justi Imperii*, that whoever he be that opens it without prejudice, cannot (to use his Majesty's Words) "meafure his Cause by the Success, nor "his Judgment of things by his Misfortunes. And truly when I came to this Letter I was thinking to my self what our **Accuser** could say to it, till having perused his Answer I was thus far satisfied, that he deceiv'd not my Expectation; for instead of giving it any solid Answer he only catches at Words, *Et minutiis, rerum pondera frangit*: And had he gone no farther, how blamable soever he might have been, he had been less Ignominious: But when he rakes those

Kennels

Kennels of his own making, and throws his dirt-balls to blacken what he cannot deſtroy, what is it but a ſpitting againſt the Sky, where the Spittle returns upon his own Face?

In ſhort, this Letter might have ſhewn him if he had pleas'd, how "when ſome Mens Con-"ſciences accuſe them for Sedition and Faction "they ſtop its Mouth with the name and noiſe "of Religion; and when Piety pleads for "Peace and Patience, they cry out Zeal. When on the contrary all good Men know that this is a Religion not proceeding from the Spirit, but a Worm of their own breeding, how devoutly (*i. e. Enthuſiaſtically*) ſoever they vent it to the People; for neither is every Dream new Light, nor every Whim, Prophecy. And what the ſad Effects of this has been we cannot (ſure) have ſo ſoon forgotten: When God was brought in to the worſt of Actions; the King abus'd in the affections of his People; Religion wounded with a Feather of its own; and the State fired with a Coal from the Altar.

CHAP. XXVIII.

Meditations upon Death after the Votes of Non-addreſſes, *and His* Majeſty's *cloſer Impriſonment in* Cariſbrook Caſtle.

WHAT our Accuſer ſays to this laſt Chapter, and whether his Majeſty had not a more particular ground for theſe Meditations, will beſt appear if we look back to the

latter end of the twenty ſixth Chapter, where I left the People in an *Hoſannah* (or now ſave us!) to the Army and *Cromwell*. And now what might he not do before he was diſcover'd? Or if he were, the Army was in his Hands, the Parliament in his Pocket, the City at his Feet, and which of them was there durſt firſt ſay to him, What art thou doing?

There ſtood nothing now in his way but the King; he had no more need of him, and how ſhould he diſpoſe of him? To keep him in the Army was troubleſome; to let the Presbyterians get him had been a Bar to his deſign; and to have murthered him had nothing further'd it, for as yet he was but Lieutenant General: The beſt way therefore was to let him eſcape beyond Sea: To which purpoſe private Letters are ſlipp'd into his Hand, that the Agitators had a deſign upon his Life, which coming alſo to his Ear from report, and the Guards purpoſely diſpoſed for it, the King in a dark rainy Night makes his eſcape from *Hampton-Court*, but the Veſſel that ſhould have carried him over failing, he unfortunately fell into the Hands of Colonel *Hammond*, Governour of the *Iſle of Wight*, who ſecures him in *Carisbrook-Caſtle*, and ſends to the Parliament to know their Pleaſure concerning him.

Decemb 6. 1647. From thence His Majeſty ſends to the Houſes his deſires for a Perſonal Treaty, which they refuſe, unleſs he firſt paſs four Bills.

1. That the Parliament have the *Militia* and the Power of levying Money to maintain it for twenty Years.

2. That the King juſtifie the Proceedings of the Parliament in the late War, and that all Declarations, *&c.* againſt them be declared void.

3. That

3. That all Titles of Honour conferr'd by the King since the Great Seal was carried to *Oxford* in *May* 1642, be taken away.

4. That the Parliament might adjourn themselves when, where, and for what time they pleas'd

But the King refusing to grant them, the Parliament Vote there should be no more Addresses made him: And upon *Cromwell*'s laying his Hand upon his Sword and telling them the People expected their Safety from them, and not from a Man whose Heart God had hardned, the Vote of *Non-Addresses* was made into an Ordinance, and that it should be High-Treason to receive any Message from him.

And now Compassion for the King's Sufferings, with the discovery of their Hypocrisie, had begotten such a general Indignation against the Parliament, that all *Wales* declare for the King: The *Surrey* Men Petition the Parliament for a Personal Treaty; the same was *Kent* coming up to have done, but seeing how evilly those of *Surrey* had been Treated, they threw away their Petition and took Arms under the Earl of *Norwich*. The same did others at *Maidstone*, *Black-heath*, *Kingstone*, &c. Which though they were all defeated, yet the Houses seeing how the Inclinations of the Kingdom went, and *Cromwell* being out of the way in securing *Edinburgh*, they revoke their Ordinance of Non-Addresses, and send the King new Propositions, not much easier than the former, and upon his Answer to them, they sent Commissioners to treat with him at *Newport* in the *Isle of Wight*; the Treaty to be transacted with *Honour*, *Freedom*, and *Safety*: In which the King made such Concessions, that it was resolv'd upon the question by the Com- Sept. 2. 1648. Decemb. 5. 1648.

mons

mons, " That the King's Anſwers to the Pro-
" poſitions of both Houſes are a ground for
" the Houſe to proceed upon for the ſettling the
" Peace of the Kingdom. But (it ſeems)
they had been ſo long dodging about Trifles,
that *Cromwell* was come to *London* before any
Nov. 20. 1648. thing was done: For *Fairfax* and the General
Officers had remonſtrated and (amongſt other
things) requir'd, " That the Capital and grand
" Author of our Troubles, the Perſon of the
" King, be brought to Juſtice for the Treaſon,
" Blood and Miſchief he is therein guilty of,
&c. But the Presbyterian Party ſtanding
ſtrong to the Reſolve aforeſaid, a Guard is
ſet upon the Houſe, the major part of the
Members are excluded, and the King made a
cloſer Priſoner in *Carisbrook-Caſtle*; which
brings me to theſe His Majeſty's Meditations up-
on Death: In which, (as from the precedent
of ſeveral of his Predeceſſors, both of *Eng-
land* and *Scotland*, well he might) he makes this
Judgment, " That there are but few ſteps be-
" tween the Priſons and Graves of Princes.

And now we'll ſee what this **Accuſer** ſays,
when having lopp'd off more than three quar-
ters of the Title that he may bring the reſt to
his own Model, he goes on, *All other humane
things are diſputed, and will be variouſly thought of
to the World's end; but this buſineſs of Death is a
plain Caſe, and admits no Controverſie: Never-
theleſs ſince out of thoſe few mortifying Hours he can
ſpare time enough to inveigh bitterly againſt that*
Juſtice *which was done upon him, it will be needful
to ſay ſomething in defence of thoſe Proceedings.* And
makes this his Juſtice the Juſtification of that
horrid *Parricide*, from *that univerſal Law, Who-
ſoever ſheddeth Man's Blood, by Man ſhall his Blood*

be

be ſhed. And that other of *Moſes*, *Ye ſhall not take Satisfaction for the Life of a Murtherer.* No exception in either of them.

And well may he call it **Juſtice**, when he ſo often blaſphemes God in making him the Favourer of thoſe the before unheard-of Villainies of that Uſurpation and Tyranny; as here alſo ſo wretchedly detorts Scripture to give it a Colour. Whereas it was *Injuſtice it ſelf* in its very Foundation, as being directly contrary to the Law of God, the Law of the Land, and the Practice of the *Jews*, from whom he draws his Authority.

To the Law of God; whereby we are commanded, Firſt, Negatively; not to think ill of the King; *Curſe not the King, no not in thy Thoughts*: Much leſs then may we ſpeak it; *Thou ſhalt not ſpeak Evil of the Ruler of thy People*: Leaſt of all may we do him hurt: *Touch not mine Anointed.* Secondly, Affirmatively; *To Honour* him, as by the fifth Commandment; and that with a Bleſſing annex'd to it, *That thy Days may be long in the Land*: To keep his Commandments, *and that in regard of the Oath of God*: Neither may we give him any cauſe of Anger, for *he that provoketh him ſinneth againſt his own Soul.* And if thus far be true, then I am ſure it was *Injuſtice* to murther him. *Eccleſ.* 10. 20. *Exod.* 22. 18. *Pſal.* 105. 25. *Eccleſ.* 8. 2, 4. *Prov.* 20. 2.

To the Law of the Land: Where (beſides what I have before ſaid to the Soveraignty of the Crown of *England*) to imagine the King's Death. —— To levy War againſt him in his Realm, or adhere to ſuch as do, ſo that it proveably appear by ſome *Overt Act*, is High-Treaſon. — The like is the Preparation by ſome *Overt Act* to take the King by force and ſtrong hand, and impriſon him until he hath yielded to certain Demands. *Cap.* 6. 25 Ed. 3. c. 2. 3 *Inſt.* 12.

Demands. And what must it then be to sit in
2 Pet. 3. 19. Judgment upon him, who having neither Equal nor Superiour in his Realm, cannot be Judged? And greater than this, what must it be to murther him?

And lastly, contrary to the Practice of the *Jews*, from whom he draws his Authority. The *Israelites* had a hard Bondage under the *Egypti-*
Exod. 12. 37. *ans*; and yet that *Moses* whom he quotes, and Six Hundred Thousand Footmen with him, besides Children and a mix'd Multitude, fled from
1 Sam. 22. 2. *Pharaoh*, but did not rebel against him. *David* in the head of an Army (and those, if we consider the Persons, desperate enough) fled from *Saul*. And *Eliah* from *Jezabel*, Seven Thousand Men yet left in *Israel* who had not bow'd
1 Kings 19. 18. their Knees to *Baal*. So that if Scripture, Law, or Practice have any Authority (I think) I need not labour the matter to prove it execrable, as well as unjust.

Besides, with what common Modesty could he tax the King with Blood, when the Houses had form'd an Army so long before him, as I have shewn before? And therefore who shall be, or was ever said to be guilty of the Blood spilt in a War, the Aggressor, or the Defendant, when the Law chiefly regards the Original act? Nor will Success more be able to alter the Nature of it than (as says His Majesty) "The "prosperous Winds which often fill the Sails "of Pyrates, do justifie their Pyracy and Rapine.

And were that true (saith he) *which is most false, That all Kings are the Lord's Anointed, it were yet absurd to think that the Anointment of God should be, as it were, a Charm against Law.* I know not what he means by that, *all Kings. Saul*, was, *David* was, and particularly laments the fall

fall of *Saul*, *As if he had not been anointed with Oil.* 2 *Sam.* 1.21.
And I never found any reaſon to doubt but that all Chriſtian Hereditary Kings are the ſame too, and conſequently exempt from the Law, foraſmuch as concerneth the coactive force of the Law, though not foraſmuch as concerneth the directive Power of the Law. " Subjects are " bound to fullfil the Law by neceſſity of Com- " pulſion, but the Prince only by his own Will " in regard of the common good. For ſeeing " the Law is but a kind of *Organ*, or Inſtrument " of the Power that governeth, it ſeems (ſaith " Sir *Walter Rawleigh*) that it cannot extend it " ſelf to bind any one whom no humane power " can controul or lay hold of. And therefore till I find better Authority for this his **Juſtice** than he has yet given, I ſhall look upon it as I do on the reſt of his Book, a thing meerly ſtuffed out to deceive the People.

Lord Fleſmer's poſt nati. 106.

Hiſt. of the World. 292.

If Subjects alſo by the Law of the Church ſo much approv'd by this King, be inveſted with a Power of Judicature, both without and againſt their King, it will be firm and valid againſt him, though pretending, and by them acknowledg'd next and immediately under Chriſt Supream Head and Governour. But what King or Queen of *England*, beſides *Henry* the Eighth, *Edward* the Sixth, and Queen *Mary* (for her two firſt Years) ever us'd that word *Head?* Or in what Age was it, that the Church of *England* ever pretended a power of Judicature, both without and againſt their Kings? He ſays if they are inveſted with ſuch a Power, but ſhews not that they are; and inſtead thereof tells us that St. *Ambroſe* excommunicated *Theodoſius* the Emperour, which he calls a Spiritual putting to death. The like did St. *German* by *Vortiger*. And two other Kings of *Wales* excommunicated by their

reſpective

respective Bishops, Subjects of those Kings. And admitting it, I never heard that any of those Bishops ever perswaded the People that it was lawful to Murther those Kings; or how does it make out this his **Justice** against the King? 'Tis a shrewd sign a Man is sinking when he takes hold of Twigs.

Then he comes up with the particular Laws and Acts of *Greece*, *Athens*, *Sparta*, *Rome*, &c. But what's that to *England*? must we be govern'd as they were? Their Laws were for it, the Laws of *England* directly against it. Nor is there any Country whatever but has its particular Laws or Customs. If a Man steal an Oxe or a Horse in the *Isle* of *Man* it is no Felony; for (having no Woods) the Offender cannot hide them; but if he steal a Capon or a Pig he shall be hang'd for it.

4 *Inst.* 285.

But what need we (saith he) *search after the Laws of other Lands for what is so fully and so plainly set down lawful in our own? Where antient Books tell us*, Bracton, Fleta, *and others, that the King is under the Law, and inferiour to his Parliament.* As for *Bracton*, the Words that he means may be (perhaps) these: *Rex habet Superiorem, Deum, scilicet. Item Legem per quam factus est Rex. Item curiam suam*, viz. *Comites, Barones.* The King hath a Superiour, to wit, God. (But doth not say Superiours in the Plural Number.) Also a Law by which he is made King. (*i. e.* He hath a Law, but says not a word of Punishment.) Also his Court, to wit, his Earls and Barons. (Not a Court as if it were of some others Constitution, but a Court of his own.) Where the word (*habet*) in Propriety of *Latin* is necessarily understood. Or otherwise he would be contradictory to himself when he saith (*Omnis sub Rege*, &c.) Every Man is under the King, and he is under none but God:

1 *Inst.* 1.

Bra. *l.* 4. *c.* 24. *S.* 5.

God: He is not inferiour to his Subjects, and hath no Peer in his Realm. But saith no where that he is under the Law, and inferiour to his Parliament, which word *his* sufficiently denotes where the Superiority lies.

And for *Fleta*, he saith, "None can judge in "Temporal Matters but only the King and his "Substitutes. — And he hath his Court in his "Council, in his Parliaments, *&c.* And for the *Mirrour of Justice* (a Book written in *Edward* the First's time) that says, "Jurisdiction is the "chief Dignity that appertains to the King. And for what concerns the King's Oath, it has been several times altered since that. And what this King's Oath was I have particularly shewn before.

Lib. 1. *c.* 17. *f.* 16.

Id. F. 66.

Mirr. 232.

Chap. 6.

Those objected Oaths of Allegiance and Supremacy we swore not to his Person, but as it was invested with his Authority. The same said the *Spencers* in *Edward* the Second's time, but it was condemned for Treason by two Acts of Parliament. And Sir *Edw. Coke* calls it, "a damnable, detestable, "and execrable Treason. For *Corps natural le Roy & politiq; sont un Corps*, and are inseparable and indivisible, for both make but one King. The death of the King dissolves a Parliament: Now if this referr'd only to his politick Capacity, the Parliament would continue after his Death, because a Body Politick never dies.

7 Coke 11, 12.

Plowd. 213. 234. 242.

4 *Inst.* 46.

And now as *the Covenant* once help'd the Houses at a dead lift, it must do our **Accuser** the like Job at parting, or this his **Justice** will be little beholding to it. *Certainly no discreet Person can imagine it should bind us to him in any stricter Sense than those Oaths formerly.* And truly I must approve him when he deals ingenuously; no certainly it did not, for they broke all three. *The intent*

tent of the Covenant as it was to extirpate Prelacy, to preserve the Rights of Parliament and the Liberties of the Kingdom, so they intended, so far as it might consist with these, to preserve the King's Person and Authority, but not otherwise; for that had been to swear us into Labirynths and Repugnancies. We vow'd farther to bring Delinquents to open Tryal and condign Punishment: So that to have done so by the King hath not broke the Covenant, but it would have broke the Covenant to have sav'd him, the chief Actor as they thought him at the time of taking that Covenant. Ye have heard what he says, and I leave it to every Man to apply it as he pleases. But because this matter has already taken up a whole Chapter between us, I referr my Reader to what I have there said. *Chap.* 14.

And now to close all, and if there be any Man has a Mind to learn how to break Oaths by Providence, and forswear himself to the Glory of God: To say Grace to the action be it never so ungodly, and give Thanks for the Success be it never so wicked: To carry on a Design under the name of Publick Good, and make the slavery of a Nation the liberty of the People: Or (in a word) to hold forth any useful, though notorious Untruth with convenient Obstinacy, until he believes it himself, and so renders it no Sin, let him read this Book of Mr. *Milton's*, and if he does not improve upon it, he may thank God for it.

FINIS.